United Nations S/2015/287

Security Council

Distr.: General
27 April 2015

Original: English

## Letter dated 27 April 2015 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2206 (2015), adopted on 3 March 2015, by which the Council decided to create the Panel of Experts on South Sudan for an initial period of 13 months.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan, I have appointed the following experts:

Mr. Andrews Atta-Asamoah, natural resources/finance (Ghana)
Mr. Payton Knopf, regional issues (United States of America)
Ms. Anna Oosterlinck, humanitarian affairs (Belgium)
Mr. Lucas van de Vondervoort, arms (Netherlands)
Mr. Vladimir Zhagora, armed groups (Belarus).

I have designated Mr. Vladimir Zhagora to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) BAN Ki-moon

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## France: draft resolution

*The Security Council*,

*Recalling* its previous resolutions and the statements of its President relating to the situation in Côte d'Ivoire, in particular resolutions 1880 (2009), 1893 (2009), 1911 (2010), 1933 (2010), 1946 (2010), 1962 (2010), 1975 (2011), 1980 (2011), 2000 (2011), 2045 (2012), 2062 (2012), 2101 (2013), 2112 (2013), 2153 (2014), and 2162 (2014),

*Reaffirming* its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

*Welcoming* the special report of the Secretary-General dated 12 December 2014 (S/2014/892), and *noting* the 2014 midterm report (S/2014/729), and the 2015 Final report (S/2015/252) of the United Nations Group of Experts,

*Welcoming* the overall progress towards restoring security, peace and stability in Côte d'Ivoire, commending the President and Government of Côte d'Ivoire's continued efforts to stabilize the security situation and promote economic recovery in Côte d'Ivoire and strengthen international and regional cooperation, and notably continued cooperation with the governments of Ghana and Liberia, and *calling upon* all national stakeholders to work together to consolidate the significant progress made so far and to address the underlying causes of tension and conflict,

*Recognizing* the continued contribution the measures imposed by resolutions 1572 (2004), 1643 (2005), 1975 (2011) and 1980 (2011), as modified by later resolutions, including resolution 2153 (2014), make to the stability of Côte d'Ivoire, including by countering the illicit transfer of small arms and light weapons in Côte d'Ivoire, as well as in supporting post-conflict peacebuilding, disarmament, demobilization and reintegration (DDR) and security sector reform (SSR), and stressing that these measures aim at supporting the peace process in Côte d'Ivoire with a view to possibly further modifying or lifting all or part of the remaining measures, in accordance with progress achieved in relation to DDR and SSR, national reconciliation and the fight against impunity, and *underlining* the significance of a peaceful, credible and transparent presidential election in this regard and the effective management of arms and related materiel,

*Noting* the upcoming presidential election in October 2015, *welcoming* in this regard the reforms adopted to prepare for this election, including the amendments to the electoral code, as well as the work undertaken by the Independent Electoral



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Commission (IEC), including through the establishment of its local branches, and *encouraging* it to continue to engage all political stakeholders in preparation of this election, *further welcoming* the steps taken by the Government to foster political dialogue and reconciliation, and *encouraging* the Government and the opposition to continue to work positively and collaboratively to ensure that the political space remains open and transparent,

*Welcoming* the political commitment of the Ivorian authorities to the SSR process and the efforts made towards its implementation, including through the elaboration of the legal framework for SSR defining the national strategy of the SSR as well as the national security strategy, enhanced cooperation between the National Security Council and the line ministries and international community, as well as the efforts towards decentralization of the SSR process, reinforcement of democratic governance of this sector, and efforts towards improving the gender balance within the security forces, while *expressing concern* about the delays in the adoption of certain laws and regulations relevant to SSR and the insufficient cohesion within the army, and *urging* an acceleration of efforts to reform the security sector, including by putting in place an effective chain of command, a system of military justice and appropriate budgetary allocations,

*Welcoming* the progress made in the overall security situation and efforts to address security challenges as well as the significant achievements of the disarmament, demobilization and reintegration of former combatants, while *expressing concern* at delays in its implementation, *re-emphasizing* that the Government of Côte d'Ivoire must provide sufficient financial resources and develop viable reintegration opportunities for former combatants in order to complete the DDR process before the presidential election of 2015 in accordance with the objective announced by the President of Côte d'Ivoire, and *stressing* the necessity for continued efforts to target unregistered combatants and to follow up on DDR efforts after June 2015 in order to ensure their sustainability,

*Welcoming* efforts towards better monitoring and management of weapons through the National Commission to Fight Against the Proliferation and Illicit Traffic of Small Arms and Light Weapons, with the support of the United Nations Operation in Côte d'Ivoire (UNOCI), including through the marking of arms and related lethal materiel and efforts in the rehabilitation and improvement of armouries, and *emphasizing* the importance of continued efforts in this area, *taking note* in this regard the signature and ratification of the Arms Trade Treaty by Côte d'Ivoire and *encouraging* States, intergovernmental, regional and subregional organizations that are in a position to do so to support Côte d'Ivoire to fulfil and implement its relevant obligations,

*Reiterating* the urgent need for the Government of Côte d'Ivoire to continue to train and equip its security forces, especially the police and gendarmerie with standard policing weapons and ammunition, and *stressing* the primary role of the police and the gendarmerie in maintaining law and order, including to secure the upcoming electoral process,

*Re-emphasizing* the importance of the Government of Côte d'Ivoire to be able to respond proportionately to threats to the security of all citizens in Côte d'Ivoire and *calling on* the Government of Côte d'Ivoire to ensure that its security forces remain committed to upholding human rights and applicable international law,

*Recognizing* the efforts made by the Government of Côte d'Ivoire to notably improve its cooperation with the Group of Experts originally established pursuant to paragraph 7 of resolution 1584 (2005), and *encouraging* further close cooperation between the Government of Côte d'Ivoire and the Group of Experts,

*Welcoming* the ongoing efforts made by the Secretariat to expand and improve the roster of experts for the Security Council Subsidiary Organs Branch, bearing in mind the guidance provided by the Note of the President S/2006/997,

*Welcoming* the progress made by the Ivorian authorities in combating illegal taxation systems, *acknowledging* the efforts undertaken to reduce the number of illegal checkpoints and incidents of racketeering, *stressing* the need to continue such efforts, including through developing a national border management strategy, *encouraging* implementation of the 2015-2016 action plan on customs administration, while *noting* the need for capacity building and allocation of resources in order to control borders, in particular in the western part of the country,

*Recalling* its decision to terminate through resolution 2153 the measures preventing the importation by any State of all rough diamonds from Côte d'Ivoire imposed by paragraph 6 of resolution 1643 (2005), in light of progress made towards Kimberley Process Certification Scheme (KPCS) implementation and better governance of the sector,

*Noting* that the Kimberley Process (KP) recognized that Côte d'Ivoire fulfilled KP Certification Scheme minimum requirements in its Final Communique of 22 November 2013, *encouraging* Côte d'Ivoire's full implementation of its Action Plan to develop its diamond sector in line with KP standards, including participation in the KP's Regional Approach for the Mano River Union countries, *welcoming* the KP review visit that took place in March 2015, and *commending* efforts made by the Property Rights and Artisanal Diamond Development II (PRADD II) project in cooperation with the Friends of Côte d'Ivoire to build alternate livelihoods within mining communities,

*Recalling* all its relevant resolutions on women, peace and security, on children and armed conflict, and on the protection of civilians in armed conflicts,

*Reiterating* its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, *condemning* all violence committed against civilians, including women, children, internally displaced persons and foreign nationals, and other violations and abuses of human rights, and *stressing* that the perpetrators on all sides must be brought to justice, whether in domestic or international courts, and *encouraging* the Government of Côte d'Ivoire to further continue its close cooperation with the International Criminal Court,

*Welcoming* in this regard national and international efforts to bring to justice alleged perpetrators from all sides of violations and abuses of human rights and of violations of international humanitarian law,

*Stressing* the importance for the Group of Experts to be provided with the sufficient resources for the implementation of its mandate,

*Determining* that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Decides*, for a period ending on 30 April 2016, that all States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire, from their territories or by their nationals, or using their flag vessels or aircraft, of arms and any related lethal materiel, whether or not originating in their territories;

2. *Decides* that supplies of non-lethal equipment, and the provision of any technical assistance, training or financial assistance, intended to enable the Ivorian security forces to use only appropriate and proportionate force while maintaining public order, shall not require notification to the Committee established by paragraph 14 of resolution 1572 (2004);

3. *Notes that* the measures on arms and related lethal materiel in paragraph 1 do not apply to the provision of training, advice, technical or financial assistance, and expertise related to security and military activities, or to non-lethal material, including the supplies of civilian vehicles to the Ivorian security forces;

4. *Decides* that the measures imposed by paragraph 1 above shall not apply to:

(a) supplies intended solely for the support of or use by the United Nations Operation in Côte d'Ivoire (UNOCI) and the French forces who support them, and supplies transiting through Côte d'Ivoire intended for the support of or to be used by United Nations Peacekeeping operations;

(b) supplies temporarily exported to Côte d'Ivoire to the forces of a State which is taking action, in accordance with international law, solely and directly to facilitate the evacuation of its nationals and those for whom it has consular responsibility in Côte d'Ivoire, as notified in advance to the Committee established by paragraph 14 of resolution 1572 (2004);

(c) supplies of arms and related lethal materiel to the Ivorian security forces, intended solely for the support of or use in the Ivorian process of SSR, as notified in advance to the Committee established by paragraph 14 of the resolution 1572 (2004), except for those arms and related lethal materiel which are set out in the Annex of this resolution, which require the advance approval of the Committee established by paragraph 14 of resolution 1572 (2004);

5. *Decides* that the Committee shall add, remove or clarify items on the list of arms and related lethal materiel specified in the Annex of this resolution, as appropriate;

6. *Decides*, for the period referred to in paragraph 1 above, that the Ivorian authorities shall notify or request approval in advance, as appropriate, from the Committee for any shipments of items referred to in paragraph 4(c) above, *further decides* that the Member State delivering assistance may, in the alternative, make this notification or approval request pursuant to paragraph 4(c) after informing the Government of Côte d'Ivoire that it intends to do so;

7. *Requests* the Government of Côte d'Ivoire to ensure that notifications and approval requests sent to the Committee contain all relevant information, including the purpose of the use and end user, including the intended destination unit in the Ivorian security forces or the intended place of storage, the technical specifications, quantity of the equipment to be shipped, details of the manufacturer and supplier of the equipment, the proposed date of delivery, mode of transportation

and itinerary of shipments; *further stresses* the importance of a specific focus on detailed explanations for how the requested equipment will support SSR, and *emphasizes* that such notifications and approval requests include information about any intended modification of non-lethal equipment into lethal equipment;

8. *Decides* that the Ivorian authorities shall submit biannual reports to the Committee by 15 September 2015 and by 30 March 2016 on progress achieved in relation to DDR and SSR;

9. *Encourages* Ivorian authorities to consult with UNOCI, within its existing mandate and resources, to ensure notifications and authorisation requests contain the required information;

10. *Urges* the Government of Côte d'Ivoire to allow the Group of Experts and UNOCI access to the exempted arms and lethal materiel at the time of import and before the transfer to the end user takes place, *welcomes* the efforts of the National Commission to Fight Against the Proliferation and Illicit Traffic of Small Arms and Light Weapons to mark the arms and related lethal materiel when received in the territory of Côte d'Ivoire and *encourages* it to continue such efforts, *urges* the Government of Côte d'Ivoire to maintain a registry of all arms and materiel present in the country, with a specific attention to small arms and light weapons, including any private arms caches, with a clear process delineated for how the Government of Côte d'Ivoire intends to track the movement of weapons;

11. *Decides* to review by the end of the period mentioned in paragraph 1 the measures decided in paragraphs above, with a view to possibly further modifying or lifting all or part of the remaining measures, in light of the progress achieved in the stabilization of Côte d'Ivoire, in accordance with progress achieved in relation to DDR and SSR, national reconciliation and the fight against impunity, bearing in mind in this regard the significance of peaceful, credible and transparent election process and the effective management of arms and related materiel as described in paragraph 10 above;

12. *Decides* to renew until 30 April 2016 the financial and travel measures imposed by paragraphs 9 to 12 of resolution 1572 (2004) and paragraph 12 of resolution 1975 (2011) and stresses its intention to review the continued listing of individuals subject to such measures provided they engage in actions that further the objective of national reconciliation;

13. *Requests* the Government of Côte d'Ivoire to continue to update the Security Council, through the Committee, on its progress in implementing its Action Plan for diamonds, including on any enforcement activities involving illegal smuggling, the development of its customs regime, including the creation of a risk profile for customs and law enforcement officials, and the reporting of financial flows from diamonds;

14. *Welcomes* the steps taken by the Government of Côte d'Ivoire to start implementing the recommendations outlined in the report of the Kimberley Process Review Visit of October 2013, *expresses concern* that smuggling of rough diamonds from Cote d'Ivoire continues, and *urges* it to continue its efforts to fully and quickly implement all of these recommendations in order to support the development of a legitimate supply chain for the export of rough diamonds;

15. *Encourages* Côte d'Ivoire and other adjacent countries to continue participation in KP regional cooperation and law enforcement activities, such as the Regional Approach for countries of the Mano River Union.

16. *Invites* the KPCS, in particular, its Working Groups on Monitoring, Statistics, and Diamond Experts, to communicate information, as appropriate, regarding Côte d'Ivoire's compliance with the KPCS to the Security Council, thorough the Committee, and when possible, for review by the Group of Experts; encourages donors to support Côte d'Ivoire's efforts by sharing related information and providing technical assistance;

17. *Calls upon* the Government of Côte d'Ivoire to take the necessary steps to enforce the measures imposed by paragraph 1 above, including by incorporating relevant provisions in its national legal framework;

18. *Calls upon* all Member States, in particular those in the subregion, to fully implement the measures mentioned in paragraphs 1 and 6 above;

19. *Expresses* its continued concern about the instability in western Côte d'Ivoire, *welcomes* and *further encourages* the coordinated action by authorities from neighbouring countries to address this issue, particularly with respect to the border area, including through continuing monitoring, information sharing and conducting coordinated actions, and in developing and implementing a shared border strategy to inter alia support the disarmament and repatriation of foreign armed elements on both sides of the border;

20. *Encourages* UNOCI and the United Nations Mission in Liberia (UNMIL), within their respective mandates, capabilities and areas of deployment, to continue to coordinate closely in assisting respectively the Governments of Côte d'Ivoire and Liberia in monitoring their border, and *welcomes* continued cooperation between the Group of Experts and the Panel of Experts on Liberia appointed pursuant to paragraph 4 of resolution 1854 (2008);

21. *Urges* all illegal Ivorian armed combatants, including in neighbouring countries, to lay down their arms immediately, *encourages* UNOCI, within its mandate and limits of capabilities and areas of deployment, to continue to assist the Government of Côte d'Ivoire in collecting and storing the arms and registering all relevant information related to those arms and further *calls upon* the Government of Côte d'Ivoire, including the National Commission to Fight Against the Proliferation and Illicit Traffic of Small Arms and Light Weapons, to ensure that those arms are neutralized or not illegally disseminated, in accordance with the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Associated Materials;

22. *Recalls* that UNOCI, within the monitoring of the arms embargo, is mandated to collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 1 of this resolution, and to dispose of such arms and related materiel as appropriate;

23. *Reiterates* the necessity for the Ivorian authorities to provide unhindered access to the Group of Experts, as well as UNOCI and the French forces which support it, to equipment, sites and installations referred to in paragraph 2(a) of resolution 1584 (2005), and to all weapons, ammunition and related materiel of all armed security forces, regardless of location, including the arms issued from the

collection referred to in paragraph 10 or 11 above, when appropriate and without notice, as set out in its resolutions 1739 (2007), 1880 (2009), 1933 (2010), 1962 (2010), 1980 (2011), 2062 (2012), 2112 (2013), and 2153 (2014);

24. *Requests* all States concerned, in particular those in the subregion, to cooperate fully with the Committee, and *authorizes* the Committee to request whatever further information it may consider necessary;

25. *Decides* to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 30 May 2016, *expresses its intent* to consider the renewal of this mandate no later than 30 April 2016, and *requests* the Secretary-General to take the necessary measures to support its action;

26. *Reiterates* that paragraph 7(b) of resolution 1727 (2006) includes a mandate for the Group of Experts to gather and analyse all relevant information on sources of financing, including from the exploitation of natural resources in Côte d'Ivoire, for the purchase of arms and related materiel and activities and notes that pursuant to paragraph 12(a) of resolution 1727 (2006) those who are determined to be a threat to the peace and national reconciliation process in Côte d'Ivoire through the illicit trafficking of natural resources, including diamonds and gold, may be designated by the Committee;

27. *Requests* the Group of Experts to submit an interim update on its work to the Committee by 15 September 2015 and to submit a final report to the Security Council by 8 April 2016, after discussion with the Committee, on the implementation of the measures imposed by paragraphs 1 above, 9 and 11 of resolution 1572 (2004), paragraph 12 of resolution 1975 (2011) and paragraph 10 of resolution 1980 (2011), with recommendations in this regard, as well as to submit progress updates to the Committee, especially in situations of urgency, or as the Group deems necessary;

28. *Decides* that the update and the report of the Group of Experts, as referred to in paragraph 27 above, may include, as appropriate, any information and recommendations relevant to the Committee's possible additional designation of the individuals and entities described in paragraphs 9 and 11 of resolution 1572 (2004) and paragraph 10 of resolution 1980 (2011) and further *recalls* the Informal Working Group on General Issues of Sanctions report (S/2006/997) on best practices and methods, including paragraphs 21, 22 and 23 that discuss possible steps for clarifying methodological standards for monitoring mechanisms;

29. *Decides* that the Group of Experts will also report on the activities of sanctioned individuals as well as on any continued threat to peace and security in Côte d'Ivoire posed by those individuals or others, consistent with paragraph 28 above;

30. *Requests* the Secretary-General to communicate as appropriate to the Security Council, through the Committee, information gathered by UNOCI and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

31. *Requests* also the French Government to communicate as appropriate to the Security Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

32. *Welcomes* the Government of Côte d'Ivoire's efforts to participate in the OECD-hosted implementation program with regard to the due diligence guidelines for responsible supply chains of minerals from conflict-affected and high-risk areas, and *urges* the Government of Cote d'Ivoire to reach out to international organizations with a view to taking advantage of lessons learned from other initiatives and countries that have and are confronting similar issues, and *calls upon* all States to take appropriate steps to raise awareness of the guidelines referred to above, and to urge importers, processing industries and consumers of Ivorian mineral products to exercise due diligence by applying the aforementioned guidelines, with a special attention to gold;

33. *Calls upon* the Ivorian authorities to continue to take the necessary measures to dismantle the illegal taxation networks, including by undertaking relevant and thorough investigations, further reduce the number of checkpoints and prevent incidents of racketeering throughout the country, and *increase* control and oversight over the areas where natural resources, and particularly gold, are illegally exploited, and *further calls upon* the authorities to continue to take the necessary steps to continue to re-establish and reinforce relevant institutions and to accelerate the deployment of customs and border control officials in the North, West and East of the country;

34. *Asks* the Group of Experts to assess the effectiveness of these border measures and control in the region, *encourages* all neighbouring States to be aware of Ivorian efforts in that regard and *encourages* UNOCI, within its mandate, to continue its assistance to Ivorian authorities in the re-establishment of normal customs and border control operation;

35. *Urges* all States, relevant United Nations bodies and other organizations and interested parties, to cooperate fully with the Committee, the Group of Experts, UNOCI and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 1, 2 and 3 above, paragraphs 9 and 11 of resolution 1572 (2004), paragraph 6 of resolution 1643 (2005) and paragraph 12 of resolution 1975 (2011), and further *requests* the Group of Experts to coordinate its activities as appropriate with all political actors and to implement their mandate in accordance with the Report of the Informal Working Group of the Security Council on General Issues of Sanctions (S/2006/997);

36. *Requests* the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General for Sexual Violence in Conflict to continue sharing relevant information with the Committee in accordance with paragraph 7 of resolution 1960 (2010) and paragraph 9 of resolution 1998 (2011);

37. *Urges* further in this context that all Ivorian parties and all States, particularly those in the region, ensure:

- the safety of the members of the Group of Experts;
- unhindered access by the Group of Experts, in particular to persons, documents and sites in order for the Group of Experts to execute its mandate;

38. *Decides* to remain actively seized of the matter.

## Annex

1. Weapons, direct and indirect fire artillery, and guns with a calibre bigger than 12.7 mm, their ammunition and components.
2. Rocket propelled grenades, rockets, light anti-tank weapons, rifle grenades and grenade-launchers.
3. Surface-to-air Missiles, including man portable air defence systems (Manpads); surface-to-surface missiles; and air-to-surface missiles.
4. Mortars with a calibre bigger than 82 mm.
5. Guided anti-tank weapons, especially guided anti-tank missiles, their ammunition and components.
6. Armed aircraft, including rotary wing or fixed wing.
7. Military armed vehicles or Military vehicles equipped with weapon mounts.
8. Explosive charges and devices containing explosive materials, designed for military purpose, mines and related material.
9. Night observation and night shooting devices.

United Nations S/2015/289

Security Council

Distr.: General
27 April 2015

Original: English

# Small arms and light weapons

## Report of the Secretary-General

*Summary*

In its resolution 2117 (2013), the Security Council requested me to continue to submit to the Council on a biennial basis a report on the issue of small arms and light weapons, including on the implementation of that resolution.

Weapons enable their user to dramatically enhance the ability to project power and to exercise coercive control within and across national borders.

The same weapons — whether in the hands of government forces or of others — that may have been meant to assist in bringing order may instead bring havoc on a massive scale.

In particular, the diversion of weaponry is a colossal problem in many parts of the world. It allows rebels, gangs, criminal organizations, pirates, terrorist groups and other perpetrators to exponentially bolster their power.

Poor weapons management is an area of alarming concern. Many States lack thorough planning, consistent attention and adequate resources to ensure safe storage, handling, transportation and disposal.

A key common denominator in all issues on the agenda of the Security Council is that availability, ownership and use of weapons and ammunition significantly determine the dynamics of the crisis. If the weapons situation is not consistently dealt with, exacerbation or relapse into renewed fighting remains a paramount risk.

The present report contains 14 recommendations for consideration by the Security Council.

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# I. Introduction

1. In its resolution 2117 (2013), the Security Council requested me to continue to submit to the Council on a biennial basis a report on the issue of small arms and light weapons, including on the implementation of that resolution.

2. While the focus of the present report is on small arms and light weapons, including their ammunition, the increased diversion and misuse of heavy weapons cannot be disregarded, as has recently been observed with the diversion of weapons from Iraq and Libya to the Syrian Arab Republic, Ukraine and Yemen.

3. Weapons are force multipliers. They enable their user to dramatically enhance the ability to project power and to exercise coercive control within and across national borders. Each crisis or conflict dealt with by the Security Council has its own characteristics. Yet, a key common denominator in all issues on the Council's agenda is that availability, ownership and use of weapons and ammunition significantly determine the dynamics of the crisis. If the weapons situation is not consistently dealt with, exacerbation or relapse into renewed fighting remains a paramount risk.

4. Section II of the present report frames the issue of arms and ammunition, focusing not only on conflict and post-conflict situations, but also on situations of transnational organized crime and terrorism, and armed violence.

5. Section III examines ways of addressing the risk of the misuse, diversion and illicit circulation of arms and ammunition. The section first highlights government responsibility in proper weapons use, safe storage, sound legislation and adequate procedures for the tracing and destruction of weapons.

6. Subsequently, it looks at addressing the illicit circulation of arms and ammunition, including through arms embargo monitoring, peacekeeping activities, security sector reform, disarmament, demobilization and reintegration programmes and the strengthening of the rule of law.

# II. Framing the issue of small arms and light weapons

7. States have an inherent right to self-defence and may use armed force in conformity with the Charter of the United Nations. Apart from arming their national armed and security forces, most countries allow private security companies and citizens, under conditions defined in national laws, to own certain firearms and weapons and use them for lawful purposes.

8. The same weapons — whether in the hands of government forces or of others — that may have been meant to assist in bringing order may instead bring havoc on a massive scale. This can occur when government forces start misusing the arsenals at their disposal, arms from legal stocks are diverted into illicit use or already existing illicit arms arrive in crisis areas.

9. In particular, the diversion of weaponry is a colossal problem in many parts of the world. It allows rebels, gangs, criminal organizations, pirates, terrorist groups and other perpetrators to exponentially bolster their power. Diversion may occur as a result of a transfer without proper controls, unauthorized retransfer, thefts from

poorly secured stockpiles, hand-outs to armed groups or barter involving natural resources. Corruption is a problem often associated with diversion.

10. Poor weapons management is an area of alarming concern. Many States lack thorough planning and consistent attention to safe storage, handling, transportation and disposal. Poor national inventory practices mean that surpluses cannot be identified, leading to extensive build-ups of frequently unnecessary stockpiles.[1]

11. Small arms typically have a lifespan of multiple decades, yet their real value depends on an uninterrupted supply of ammunition. It is sometimes argued that the trade in ammunition should be excluded from international regulation because of the high volume of its production and trade, which would render it difficult for Governments to warrant the detailed levels of record-keeping that would be needed for ammunition tracing and for the proper regulation of its trade. However, as consumer traceability has evolved in other fields, such as pharmaceuticals and food and agricultural products — goods with an even higher turnover — the question of including ammunition in arms regulation seems to be more a matter of political prioritization than one of technical or logistical impossibility. It is encouraging that the Arms Trade Treaty covers ammunition in addition to weapons and their parts and components.

12. High levels of illicit arms and ammunition in circulation contribute to insecurity, cause harm to civilians and severely constrain assistance activities. The United Nations and other organizations providing protection, humanitarian aid and development resources are confronted with this reality on a daily basis.

13. Because of the immense havoc weapons and ammunition can wreak, any Government that decides to export them must realize the profound international responsibility it has for every transfer it authorizes. Conversely, a Government importing or procuring from national production must ensure that it will use these weapons only to provide for the safety and security of its citizens and that it has the capacity to safeguard all weapons and ammunition within its possession throughout their life cycles.

14. Weapons and ammunition are hardware, namely, physical commodities on which, in principle, measurable action can be undertaken. Warehouses can be upgraded, surpluses can be destroyed, illicit arms can be collected and serial numbers can be recorded and traced. Undeniably, in many situations, it may be difficult to undertake these actions; I underline, however, that the concrete character of weapons management should warrant unrelenting attention.

## A. Conflict and post-conflict situations

15. Within the past decade, over 250 conflicts have affected all parts of the world.[2] About 55,000 people perish annually as a direct consequence of armed conflict.[3] The number of those displaced by conflict has reached levels not seen

[1] James Bevan, ed., *Conventional Ammunition in Surplus: A Reference Guide* (Geneva, Small Arms Survey and others, 2008).

[2] Stockholm International Peace Research Institute, *SIPRI Yearbook 2014: Armaments, Disarmament and International Security* (Oxford University Press, 2014).

[3] Secretariat of the Geneva Declaration on Armed Violence and Development, *Global Burden of Armed Violence 2011: Lethal Encounters* (Cambridge, Cambridge University Press, 2011).

since the Second World War: currently, more than 33 million people are displaced because of conflict and violence.[4] Chillingly, children have been recruited and used by armed forces and groups, killed and maimed, forced into displacement and made victims of sexual violence in 23 conflict situations around the world (see A/68/878-S/2014/339).

16. The widespread availability of small arms and light weapons and their ammunition is a key enabler of conflict. Arms and ammunition may originate from varied sources. Shipments of small arms to conflict zones from abroad are most often small-scale consignments, namely, a steady trickle of weapons across porous borders. The cumulative destabilizing force of such small-scale trade — for example, as equipment of foreign terrorist fighters, pirates or armed groups — is not to be underestimated. Domestically, small arms and ammunition often enter illicit circulation through distribution, theft, corruption, pilferage and resale. Government depots remain prominent sources. These can amount to massive injections of weapons with a wide regional effect, as has been the case recently in Iraq and Libya. To a considerable extent, addressing this risk is a matter of managing surpluses. Authoritative assessments estimate that some 40 percent of military firearms in the arsenals of State armed forces can be considered surplus and should therefore be priority items for destruction.[5]

17. Most modern-day peacekeeping and peacebuilding operations include disarmament, demobilization and reintegration programmes which normally address the demand-driven aspects of arms transfers. To be effective, these programmes should lead to the rapid disassembling of warring parties and the reintegration of former combatants into society. However, these goals can be seriously frustrated if weapons and ammunition continue to be easily available to warring parties. Such parties, aware of their ability to quickly re-tool their fighting forces, may have an incentive to limit the movement of peacekeepers, to engage in systematic violations of peace or ceasefire accords or to threaten withdrawal from such accords, thus perpetuating climates of impunity, enhancing the risk of conflict recurrence and undermining the international community's investment in building peace. The linkage between arms transfers and disarmament, demobilization and reintegration has also been recognized by the Security Council which, for instance, has made the lifting of sanctions on arms transfers to Côte d'Ivoire conditional upon progress made in disarmament, demobilization and reintegration (see Council resolution 2045 (2012)).

18. The conduct of free, inclusive and credible elections is a critical peacebuilding goal, which often requires extensive international assistance. This goal cannot be properly achieved, however, in environments where electoral censuses cannot be conducted safely for lack of security, members of political parties cannot move freely to support organizations and campaigns, electoral agents are intimidated by armed groups, and voters are reluctant to go to campaign meetings or to the polls for fear of reprisals at gunpoint. In such situations, trust in the peacebuilding process can be undermined, as election dates are postponed and the easy availability of arms and ammunition increases the risk of renewed or post-election violence.

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[4] Available from http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.7374.

[5] Small Arms Survey, *Small Arms Survey 2008: Risk and Resilience* (Cambridge, Cambridge University Press, 2008).

**Protection of civilians**

19. Armed attacks against civilians, including United Nations humanitarian and associated personnel, continue to occur, often with impunity. In the Syrian Arab Republic, the number of casualties runs into the hundreds of thousands. In Somalia, recent United Nations reports have shown a further increase of violence against civilians. In 2014, 10,548 civilian casualties of conflict were documented in Afghanistan, marking a 25 per cent increase in civilian deaths compared with 2013.[6]

20. The pervasive misuse of weapons in conflicts worldwide is a major factor driving forced displacement. Conflict dynamics in the Central African Republic, the Democratic Republic of the Congo, Libya, Mali and the Syrian Arab Republic, where weapons and ammunition are in ready supply, have resulted in the large-scale displacement of civilians and have served to keep many refugees and internally displaced persons in situations of protracted exile, in violation of their fundamental human rights.

21. I particularly condemn the continuing armed terrorist attacks perpetrated by groups such as Boko Haram and the Islamic State in Iraq and the Levant against civilian populations in Africa and the Arab world. The abduction and use of children, including as suicide bombers, is a grave violation of the rights of children. I urge a multidimensional approach that addresses arsenals and ammunition flows, legitimate grievances, past and current human rights violations and root causes of the conflict.

22. Significantly, attacks on civilians in conflict settings have increasingly been carried out with rockets, mortars and heavy weapons, and women and children are often disproportionally affected by such attacks. Strikes on schools, hospitals and other populated areas, including in Afghanistan, Iraq, Israel, Nigeria, the State of Palestine and the Syrian Arab Republic, have become alarmingly widespread (see A/HRC/28/54). Children also continue to be particularly susceptible to injury from picking up explosive remnants of war (see A/68/878-S/2014/339).

## B. Transnational organized crime and terrorism

23. The Security Council recently confirmed its concern at the growing nexus between transnational organized crime networks and terrorist groups (see Council resolution 2195 (2014)). Indeed, terrorist groups benefit from transnational organized crime activities, including the trafficking of arms, drugs and artefacts, and from illicit trade in natural resources, kidnapping for ransom and other crimes, to finance and support their activities.

24. The linkage among, and combined presence of, transnational organized crime, terrorism and violent extremism is of particular concern in regions already affected by armed conflicts, where this combination can further negatively affect security, stability, governance and social and economic development, exacerbate armed conflicts and sexual violence, and jeopardize any serious effort in respect of conflict prevention and resolution.

[6] United Nations Assistance Mission in Afghanistan (UNAMA), "Afghanistan: annual report 2014 — protection of civilians in armed conflict" (Kabul, February 2015).

**Foreign terrorist fighters**

25. In September 2014, the Security Council expressed concern that foreign terrorist fighters increase the intensity, duration and intractability of conflicts (see Council resolution 2178 (2014)). They may pose a serious threat to their States of origin, transit and destination and to neighbouring zones of armed conflict. In the Council resolution, it was noted that the threat of foreign terrorist fighters may affect all regions and Member States, even those far from conflict zones. An influx of foreign fighters increases the probability of weapons and ammunition crossing borders, may fuel conflict and may extend technical know-how of armed groups in the area.

**Improvised explosive devices and man-portable air defence systems**

26. The use of improvised explosive devices by terrorist and other armed groups is on the rise. Between 2011 and 2013, more than 4,300 improvised explosive device events in 66 countries resulted in an estimated 65,400 casualties, the vast majority of them civilian.[7]. In Afghanistan, improvised explosive devices now kill 10 times more civilians than landmines do. Improvised explosive devices also continue to pose a major threat in Mali. Ten such attacks against United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) personnel were recorded from December 2014 to March 2015 alone, resulting in 28 injuries and 1 fatality (see S/2015/219). The proliferation of these weapons is fuelled by ease of access to components and low technology in assembly requirements. Although improvised explosive devices are typically constructed from products that are commercially available and relatively inexpensive, their main charges and boosters are frequently sourced from conventional ammunition, such as artillery shells and mortar bombs.[7] Better control over ammunition therefore reduces risks relating to improvised explosive devices.

27. The use of improvised explosive devices is increasing in sophistication. Noticeable has been the introduction of the magnetic improvised explosive device, observed from Somalia and Iraq to Afghanistan, and improvised explosive devices that contain components that are difficult to detect.

28. The continued proliferation of man-portable air defence systems among armed groups, including terrorist groups, poses the additional threat of putting civil aviation at risk.

## C. Armed violence

29. Armed violence occurs both within and outside of conflict situations. The absence of effective government institutions often leads to the use of armed violence as an engrained means of resolving individual and group grievances and conflicts. In such cases, legal and peaceful dispute resolution mechanisms are eroded, violence at gunpoint against children and sexual and gender-based violence can become endemic, and the rule of law cannot be upheld.

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[7] Small Arms Survey, "Countering improvised explosive devices", *Research Notes*, No. 46, October 2014.

30. Crime and armed violence contribute to "unproductive" expenditures that divert public resources away from key services and capital investment. Research suggests that developing countries may spend between 10 and 15 per cent of their gross domestic product on law enforcement, compared with 5 per cent in more affluent States.[8]

31. Countries suffering from sustained levels of armed conflict or violence are also those furthest from reaching their Millennium Development Goal targets. The complex linkages among arms, violence, conflict and development continue to play out in States around the world, as demonstrated in recent reports to the Security Council on Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Somalia, South Sudan, the Sudan, the Syrian Arab Republic and elsewhere.

**Women and men; boys and girls**

32. The causes and consequences of the use of weapons are highly gendered. Women have traditionally been perceived as being on the receiving end of armed violence but their role as users of weapons, combatants or arms traffickers is increasingly being noted. Still, across all affected societies, young men are the most common perpetrators of armed attacks, as well as the most likely direct victims. The phenomenon is of particular concern in societies with a high percentage of young people combined with high youth unemployment.

33. Sexual violence in settings of conflict and violence continues to affect women, men and children with shocking frequency and impunity. Sexual and gender-based crimes are often perpetrated by armed individuals. Increased military or armed group activity can bring a greater risk of attack (see S/2015/19). The victimization of women and children through gender-based violence, including rape, violence in the home and sexual exploitation, is an important and still underrecorded consequence of armed violence. The impact is felt most strongly at the family level, where children or women have to care for victims or become de facto heads of households. In situations where they have restricted access to livelihood opportunities, women and children struggle to provide for their families and often suffer from deepening levels of poverty. Although adolescents and young men may be its most prominent direct victims, younger boys and girls also suffer directly and indirectly from armed violence, including armed conflict.

34. In my report on conflict-related sexual violence (S/2015/203), I presented information on parties to conflict credibly suspected of committing or being responsible for rape and other forms of sexual violence and on efforts to prevent and respond to violations. Sexual violence against girls continues to be a prominent trend and includes rape, harassment, sexual slavery and forced marriage.

35. Children are disproportionately affected by hostilities, both directly as victims and through their association with armed forces and armed groups. In my 2014 report on children and armed conflict, I highlighted the grave violations perpetrated against children in situations on the agenda of the Security Council (A/68/878-S/2014/3349).

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[8] Organization for Economic Cooperation and Development (OECD), *Reducing the Involvement of Youth in Armed Violence: Programming Note*, Conflict and Fragility Series (Paris, OECD Publishing, 2011).

36. Child protection actors within the United Nations continue to note with concern that the character of and tactics used in armed conflict pose unprecedented threats to children. In areas where illicit arms and ammunition are common, children are more vulnerable to injury, death, displacement, psychosocial distress and recruitment and use by armed forces and groups.

**Recommendation 1**

**Given the wide-ranging impact of the misuse and illicit circulation of small arms and light weapons, it is recommended that the Security Council consistently address the arms situation when considering both geographic and thematic issues on its agenda.**

**Recommendation 2**

**The real value of small arms and light weapons depends on the availability of ammunition. Effective measures to stem the illicit use of small arms and light weapons must include, or may even focus on, efforts to prevent the supply of ammunition.**

**Recommendation 3**

**More research to assist policymakers in addressing the causes and consequences of armed violence is required. The criminal violence that frequently replaces political violence in post-conflict periods is often difficult to redress through disarmament, demobilization and reintegration programmes and small arms control measures. In such environments, weapons-collection measures and related activities need to be accompanied by development programming geared towards preventing and reducing armed violence, coupled with other measures to enhance the protection of the civilian population.**

**Recommendation 4**

**Recognition of the gendered nature of armed violence and conflict must inform policy and programmatic responses. If the gendered aspects of armed violence, including the male social roles that often shape it and the structural subordination of women and girls, are not addressed, some of the key root causes of armed violence and its various impacts on girls, boys, women and men risk being neglected.**

**Full and meaningful participation of women in policymaking, planning and implementation processes related to combating the misuse and illicit transfer of small arms, in line with the women and peace and security agenda, remains essential.**

# III. Addressing the risk of misuse, diversion and illicit circulation of small arms and light weapons

## A. Small arms and light weapons held by national security forces

### 1. Arms Trade Treaty and other instruments relating to the regulation of small arms and light weapons

37. For weapons to be used for lawful purposes only, Governments need to effectively fulfil their tasks — from the national to the community level — of providing security, putting in place regulation and enacting control and oversight. Only when institutions function adequately can safe and secure environments prosper and citizens' trust in their societal fabric thrive. The importance of assistance to institutions in situations of poorly controlled circulation of arms and ammunition is therefore critical. Such assistance may focus on legislation, stockpile management, the marking, record-keeping and tracing of weapons, surplus destruction and training on adequate use of force. Apart from regional arrangements, a number of global agreements are immediately relevant for such endeavours.

38. With the entry into force of the Arms Trade Treaty, on 24 December 2014, the foundations were laid for a global system of arms transfer controls, including small arms and light weapons. States parties to the Arms Trade Treaty will have to undertake an assessment in advance of any transfer covered by the Treaty and deny the transfer in situations specified by the Treaty. Importantly, they have a legal obligation to take measures to regulate the transit, trans-shipment and brokering of conventional arms and to prevent weapons diversion.

39. The Treaty's provisions on assistance — and the commitment to establish a trust fund only for States parties — promise that acceding to the Arms Trade Treaty may open up significant avenues for cooperation, bringing adequate weapons management within reach of any country.

40. The Arms Trade Treaty is a robust treaty with the potential to have a significant place in stemming arms flows to conflict zones and supporting the monitoring of Security Council arms embargoes. The effectiveness of the Arms Trade Treaty will depend on its global appeal and the levels of good faith with which it is implemented.

41. The Arms Trade Treaty complements and builds upon other global legal instruments, including the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime. The Firearms Protocol provides complementarity to the Arms Trade Treaty, in particular through its provisions on marking, record-keeping, import, export and

transit control and by criminalizing the offences of illicit manufacturing, trafficking and tampering with marking.

42. Under the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects[9] and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (the International Tracing Instrument) (see General Assembly decision 60/519; and A/60/88 and Corr.2, annex) progress has been made in particular in improving national laws. In addition, increased stockpile destruction and weapons-marking initiatives have been noted, and disarmament, demobilization and reintegration programmes have been developed and implemented. However, many of the requirements of the instrument for implementation at the national level remain unfulfilled. In 2014, at the most recent meeting under this process, States agreed to further strengthen stockpile management and to focus on the impact of new technologies on the tracing of weapons. Cooperation and assistance, including the transfer of technology and equipment, remain high on the agenda.

43. The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by consensus,[10] provide sound guidance for when the lawful use of force and firearms is unavoidable. It should be noted that this agreed document includes the provision that exceptional circumstances such as internal political instability may not be invoked to justify any departure from the Basic Principles. Also, the document tasks Governments to regulate the control, storage and issuing of firearms, including procedures for ensuring that law enforcement officials are accountable for the firearms and ammunition issued to them. The document underlines the need for training, which should also comprise alternatives to the use of force and firearms, including the peaceful settlement of conflicts, the understanding of crowd behaviour and the methods of persuasion, negotiation and mediation. There seems to be ample room for further training on these principles.

44. The International Small Arms Control Standards, developed by the United Nations, provide guidance on establishing effective national controls over the full life cycle of small arms and light weapons. The International Small Arms Control Standards translate into practice the objectives of the key global agreements and international law aimed at preventing the illicit trade, destabilizing accumulation and misuse of small arms and light weapons.[11]

45. Similarly, the International Ammunition Technical Guidelines, developed upon request by the General Assembly under the United Nations Safer*G*uard programme, assist national authorities, industry and others in enhancing the safety and security of ammunition stockpiles, thus reducing the dual risks of explosions and diversion.[12]

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[9] *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[10] See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

[11] See www.smallarmsstandards.org/isacs/.

[12] See www.un.org/disarmament/un-saferguard/.

## 2. Improving stockpile management

46. National stockpile management and control has emerged as one of the greatest challenges related to small arms (see S/2008/258, S/2011/255 and S/2013/503). Stocks are susceptible to diversion if they are not appropriately secured and managed. Diversion tends to feed and sustain the activities of armed non-State actors, terrorist organizations and organized criminal networks: it is one of the principal sources of illicit ammunition and explosives (see A/63/182).

47. A central element in adequate stockpile management is the identification of surpluses, namely, the weapons and ammunition that do not constitute an operational need. When surpluses are not recognized, the entirety of the national weapons stockpile may continue to be seen as of operational value. Although not used, weapons and ammunition surpluses thus continue to fill warehouses and to pose a grave year-on-year risk.

48. Defective stockpile management has been assessed as the norm rather than the exception in many developing countries and in States recovering from armed conflict.[1] In those circumstances, it is not only surplus stocks that should be the focus of attention, but the lack of appropriate policy behind this situation. Governments remain unaware of surpluses; their national stockpiles remain a risk to public safety and continue to be a source of illicit weaponry used in crime and armed violence.

49. Destruction is the preferred solution for surplus stockpiles of arms and ammunition, not only from a safety and security perspective, but also when considering the costs of destruction over the costs associated with safe long-term storage and maintenance.[13]

50. Key parts of the United Nations system, including the United Nations regional centres for peace and disarmament of the Office for Disarmament Affairs of the Secretariat, the United Nations Office on Drugs and Crime (UNODC), the United Nations Development Programme (UNDP), the United Nations Mine Action Service, the United Nations police and others, are contributing to securing stockpiles and to relevant training of national law enforcement and security forces of affected as well as troop-contributing countries.

51. Consistent application of the robust International Ammunition Technical Guidelines is essential. Similarly, making use of the International Small Arms Control Standards will also improve challenging small arms control situations. Both modular sets of standards, which complement each other, are voluntary, but provide the best available advice on ammunition management and small arms control.

52. Côte d'Ivoire and Liberia may be seen as successes. In Côte d'Ivoire, UNDP and the United Nations Regional Centre for Peace and Disarmament in Africa, utilizing international standards, put in place procedures and training tools on physical security and stockpile management. The United Nations Mine Action Service also provided national authorities in Côte d'Ivoire with a multi-year programme of assistance on weapons and ammunition management.

53. In Liberia, the United Nations Regional Centre for Peace and Disarmament in Africa and the United Nations Mission in Liberia (UNMIL) have recently provided

[13] Mandy Turner, *Costs of Disarmament: Cost Benefit Analysis of SALW Destruction versus Storage* (Geneva, United Nations Institute for Disarmament Research 2006).

technical assistance and training on marking and registering small arms and light weapons. The training is assisting Liberia in assuming complete security responsibilities by June 2016, including on small arms, and in registering and tracking arms used by its security forces (see Security Council resolution 2190 (2014)).

54. More can be done to mainstream physical security and stockpile management programmes in peacekeeping mandates and concepts of operations, based on standards and guidelines developed by the United Nations on arms and ammunition management. It is crucial that the Security Council, while drafting or renewing peacekeeping mandates, carefully assess the need to include relevant provisions.

### 3. Other measures strengthening government control

55. The tracing by national law enforcement officials of small arms back to their last legitimate owner constitutes an effective measure against the diversion of weapons. For that purpose, it is essential to mark the weapon upon production and import and ensure that appropriate records are kept. In addition, existing stocks should be marked. Many weapons and batches of ammunition are marked when produced and some weapons are marked when imported, but international cooperation in marking, record-keeping and tracing of small arms needs further attention.

56. More needs to be done in related fields as well. These include adequate small arms control legislation (which should cover arms brokering), weapons and ammunition destruction and reintegration programmes.

57. Many United Nations system entities are assisting Governments in these tasks, mostly depending on extrabudgetary funding. Entities such as the United Nations regional centres for peace and disarmament, UNDP, the United Nations Children's Fund (UNICEF), the United Nations Mine Action Service, UNODC, the United Nations Human Settlements Programme (UN-Habitat) and others work within their respective mandates to support the development of national small arms action plans, provide marking machines and the relevant training, including record-keeping, produce guidance on standard operating procedures related to small arms, deliver assistance in legislation, set up collection and destruction programmes or develop reintegration programmes.

### 4. Potential applications of small arms and light weapons technologies

58. Innovative ways for Governments to address the management of weapons in conflict areas have become technologically feasible. Such technologies have already been put to broad use in commercial sectors such as the parcel business or the food industry. Options include radio frequency identification and fingerprint recognition, technologies that make it possible to personalize and track weapons and to secure weapons depots.

59. New technologies in relation to small arms are at present being discussed under the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Assistance and the possible transfer of technologies are important elements of this topic. I encourage Member States, international and regional organizations, non-governmental organizations and representatives of industry to engage in further dialogue on their potential application in weapons management.

**Recommendation 5**

**The Arms Trade Treaty has the potential to provide a global framework for a responsible arms trade and could become a key instrument fostering capacity-building in the areas of adequate transfer controls and preventing weapons diversion. I encourage Member States that have not done so to accede to it.**

**Recommendation 6**

**States should aim to have their relevant law enforcement officials trained in the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.**

**Recommendation 7**

**The Security Council should ensure that peacekeeping and special political missions are consistently mandated to assist host countries in the effective management of their arms and ammunition stockpiles.**

**This includes, in accordance with the good practice demonstrated in Côte d'Ivoire and Liberia, provisions on the training of national security forces in weapons disposal, marking and recording and large-scale weapons collection and destruction programmes, in addition to the refurbishment of weapons and ammunition storage facilities and the promotion of compliance with existing standards.**

**Member States should consider the provision of adequate technical and financial assistance in this regard.**

**Recommendation 8**

**The Security Council should consider, on a case-by-case basis, the relevance of technologies such as time limitation or geographical limitation devices or biometric or radio frequency identification, to improve weapons stockpile management and reduce the diversion of weapons. A main hurdle for equipping weapons with such devices is their limited commercial viability. I encourage Member States to support further initiatives on the development and use of such technology.**

## B. Addressing the circulation of illicit small arms and light weapons

60. Small arms and light weapons in illicit circulation have left immediate government oversight; different control measures are therefore required.

### 1. Arms embargo monitoring efforts

61. The work of the Security Council sanctions committees and sanctions expert panels has continued to shed light on arms and ammunition trafficking routes. Council arms embargoes can serve as powerful tools to address the illicit trade and brokering in small arms and light weapons as well as the destabilizing effect of their circulation. Adequate implementation of arms embargoes includes solid control of a country's borders, including at airstrips and seaports, and inspections inside the country. Effective monitoring of arms embargoes depends on active information exchange among different actors, including national authorities in the country subject to the embargo and in other countries, sanctions monitoring entities, peace operations and international and regional organizations.

62. Lack of sufficient capacity constitutes a key challenge for many States in the effective monitoring and enforcement of arms embargoes. For instance, with regard to Somalia, my assessment in March 2014 found a limited capacity of the Government to adequately respond to notification requirements in connection with the partial lifting of the arms embargo on the Government (see S/2014/243). The United Nations is now working to support this gap in notifications. In the context of a broader rule of law and security programme, UNDP, the United Nations Assistance Mission in Somalia (UNSOM) and the United Nations Mine Action Service have strengthened the capacity of the authorities to manage and report on arms imported under the partially lifted arms embargo, including through the development of a national import-marking standard using international standards and through technical assistance on weapons and ammunition management and training.

63. Other challenges to the implementation of arms embargoes need to be addressed as well. Where States under an arms embargo are allowed exemptions, there is no systematic procedure in place for tracking their procurement. In managing the exemptions for the delivery of arms and related materiel, sanctions committees often have no reliable baseline reference point for the amount of weapons and ammunition needed by the Government for the purposes of equipping national security forces and promoting security sector reform.

64. To make an inventory of its weapon stockpiles as a first step towards the lifting of an embargo, a State could be encouraged to report to the voluntary United Nations Register of Conventional Arms. Through this existing transparency instrument, any State Member of the United Nations can make available national data on arms, including the totals of its national holdings.[14] If reported in the context of partial embargo lifts and of sanctions regimes that foresee exemptions, the Security Council and relevant sanctions committees would therewith be enabled to assess the acquisition needs of the State in taking a decision.

65. Arms embargoes have varied greatly in terms of their scope and content. There is currently no across-the-board reference regarding arms and related materiel. A general guide on arms embargoes, which would complement committee-specific

[14] See www.un-register.org/NationalHoldings/Index.aspx.

implementation assistance notices, could serve as a useful reference for sanctions committees and Member States, both on the supplying and the receiving end, to improve their understanding and implementation of the technical dimensions of an arms embargo. The guide could also serve as reference for mapping assistance activities offered by various United Nations entities.

**Recommendation 9**

**Countries subject to an arms embargo should consider reporting to the existing transparency mechanism of the United Nations Register of Conventional Arms. This important element in determining the necessary baseline of its national weapons holdings would inform the consideration of a possible lifting of an arms embargo by the Security Council. The United Nations can assist any country in reporting to the Register.**

## 2. Role of United Nations missions in supporting arms embargo monitoring

66. Several United Nations missions have been mandated with sanctions monitoring, including aspects related to arms embargoes.[15] It is essential that these field missions deploy personnel, including police, who are well trained in the management and tracing of weapons.

67. In some missions, such as the United Nations Operation in Côte d'Ivoire (UNOCI), dedicated embargo monitoring units have been established. I also recommended the establishment of a small arms embargo cell in the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA).[16] In others, ad hoc arrangements have been made for field missions to cooperate with expert panels, for example through the mission's Joint Mission Analysis Cell.

68. In my previous report, I highlighted some of the good practices of the UNOCI Integrated Embargo Monitoring Unit, which was established to monitor the implementation of the embargo pursuant to Security Council resolution 2045 (2012). It may, within Côte d'Ivoire, inspect all sites and equipment of relevance to the embargo, when necessary and appropriate without notice. The UNOCI Integrated Embargo Monitoring Unit also assists the Group of Experts on Côte d'Ivoire (see S/2014/266, para. 28).

69. During the course of one year, the Integrated Embargo Monitoring Unit of UNOCI conducted more than 600 inspections of installations and sites of armed

[15] The United Nations Mission in Liberia (UNMIL), the United Nations Operation in Côte d'Ivoire (UNOCI), the African Union/United Nations Hybrid Operation in Darfur (UNAMID), the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

[16] See S/2014/142, paragraph 78, in which I recommended that a small embargo cell be established within the proposed peacekeeping operation comprising experts on arms, natural resources and customs in order to support the group of experts in monitoring the sanctions regime and to advise my Special Representative.

State actors in Côte d'Ivoire. Importantly, the Monitoring Unit also drew up arms and ammunition profiles, which help to identify possible embargo violations. I am pleased that a similar practice of creating ammunition profiles is now being used by the Panel of Experts on the Central African Republic (see S/2014/762) and by the Group of Experts on the Democratic Republic of the Congo (see S/2015/19).

70. Overall, an internal review on United Nations sanctions considered the Integrated Embargo Monitoring Unit in UNOCI useful as an expert technical interlocutor with the host country and observed that it enjoyed a mutually beneficial relationship with the Group of Experts. In this regard, I will request the relevant field missions to reflect in their regular reporting, where appropriate, lessons learned from their sanctions monitoring work.

71. I am pleased that United Nations entities enhanced their support to the fulfilment of arms embargo obligations during the reporting period. In 2014, my assessment missions on sanctions issues — one on the partial lifting of the arms embargo on Somalia and another on the termination of sanctions in Liberia — supported the identification of the needs of the States concerned and provided assistance in understanding and implementing the respective arms embargoes, including the improvement of weapons and ammunition management capacities. The missions also enhanced coordination within the United Nations system to support sanctions implementation in these countries.

72. An increase in expertise and capacity within the United Nations means that more coordination with stakeholders needs to take place. The recent internal review of United Nations system support to Security Council sanctions also found that the existing expertise within the United Nations system to assist in monitoring, training and building national capacity on the implementation of arms embargoes was not sufficiently utilized. For this reason, I have decided to make the Inter-Agency Working Group on United Nations Sanctions, established in 2014, a standing body to coordinate support.

73. This is of particular importance in situations, as described above, where a partial embargo lift is being considered and the country has to put in place initial measures on arms and ammunition management required by the Security Council before the lift is authorized. When States appear to be in need of technical assistance in this phase, a thorough assessment is required regarding the precise assistance needed. Subsequently, relevant project proposals need to be developed and international or regional coordination mechanisms need to be engaged to match assistance needs with available resources. I note that in its resolution 2117 (2013), the Council called for enhanced coordination of efforts at the national, subregional, regional and international levels to address traffic in arms, but often it remains unclear which stakeholder could assume ownership at which stage in the process.

**Recommendation 10**

**In contributing to the force generation for peacekeeping missions where there is an arms embargo in place, troop- and police-contributing countries should consider providing, in particular, personnel possessing relevant arms and ammunition identification, record-keeping, tracing or stockpile management expertise.**

**I also recommend that the Security Council mandate relevant mission components to work more closely with United Nations country teams to strengthen national arms control capacities.**

### 3. Specific attention to illicit flows of ammunition

74. Expert panels monitoring Security Council arms embargoes have suggested that the popularity of certain types of weapons among armed groups corresponds to the availability of their ammunition (see, for example, S/2010/91). Interestingly, patterns of supply may influence the development of a conflict, including by causing changes in shooting discipline and rendering existing weapons useless. Therefore, a focus on preventing the resupply of ammunition, in particular in situations of high risk to civilian populations, should be a priority.

75. Controlling the supply of ammunition can have an immediate impact on the intensity of armed violence.[17] Ammunition production and supply chains in military markets are different from civilian markets. Therefore, monitoring flows of the military-style ammunition generally used in armed conflict offers greater scope for identifying sources, trafficking patterns and diversion points than monitoring ammunition for handguns and pistols. If, particularly in settings of conflict, large numbers of ammunition are found, a process of elimination may lead to likely sources of diversion.[1]

76. Ammunition marked with its production year remains a critical element in monitoring the implementation of Security Council arms embargoes. Panels of experts tasked with such monitoring rely on recovered ammunition to determine whether it was transferred to embargoed actors or destinations after the imposition of the embargo.

77. Expert panels that monitor arms embargoes would be aided in their work if Member States provided information about the markings applied to ammunition for small arms and light weapons by producers under their jurisdiction and the markings on ammunition recovered from illicit use.

78. The systematic collection, adequate recording and publication of information regarding the markings on recovered illicit ammunition for small arms and light weapons would greatly enhance transparency and accountability in the arms and ammunition trade and help significantly to limit the scope of the illicit trade.

79. Contrary to the arms themselves, bullet cartridges contain explosive chemicals. Adequate ammunition management may include specific procedures on determining the origin of ammunition and on ensuring its safety. The Panel of Experts on the Sudan has made a first analysis of the precursors and components necessary for the manufacture of small arms ammunition. These and similar approaches aimed at better determining the origin of ammunition could be considered for effectively restricting illicit supply (see S/2015/31).

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[17] Small Arms Survey, *Ammunition Tracing Kit: Protocols and Procedures for Recording Small-calibre Ammunition* (Geneva, 2008).

**Recommendation 11**

**Short training in the correct recording of information from recovered ammunition should be targeted at the mission personnel most likely to encounter ammunition, including members of an embargo monitoring cell, military observers and, critically, police personnel. Just as with records of weapon markings, the collected information could then be made available to sanctions expert panels.**

**Recommendation 12**

**Given the distinct production process and trade patterns of ammunition, Member States, with the assistance of the United Nations, should explore further approaches to combating illicit ammunition flows in particular in the context of arms embargoes.**

### 4. Enhanced operational information exchange on arms trafficking

80. In its first-ever resolution on small arms and light weapons, the Security Council called upon States to intensify and accelerate the exchange of operational information regarding trafficking in arms and to enhance the coordination of efforts at the national, subregional, regional and international levels (see Council resolution 2117 (2013), para. 9). This call was reiterated by the Council in its resolution on threats to international peace and security caused by terrorist acts, adopted in August 2014 (see resolution 2170 (2014), para. 10).

81. These calls echoed recent agreed ways forward in the framework of General Assembly processes related to small arms and light weapons. In the agreed outcome of the Fifth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and its International Tracing Instrument, held in June 2014, States undertook to enhance the exchange of information at the national, regional and international levels, including information relevant to preventing, combating and eradicating the illicit trade in small arms and light weapons and to preventing their diversion to the illicit trade, illegal armed groups, terrorists and other unauthorized recipients (see A/CONF.192/BMS/2014/2, annex, para. 27 (a).

82. The call also dovetails with the Arms Trade Treaty, which encourages its States parties to share relevant information with one another on effective measures to address the diversion of conventional arms, including information on illicit activities including corruption, international trafficking routes, illicit brokers, sources of illicit supply, methods of concealment, common points of dispatch or destinations used by organized groups engaged in diversion (see article 11 (5)).

83. Similar calls were made at the seventh session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, at which States parties were encouraged to develop or strengthen coordination among

relevant and competent national authorities, with a view to enhancing capacities for statistics and data collection, analysis and information-sharing related to illicit trafficking in firearms.

84. Several initiatives with regional and police organizations for operational information exchange at the national and regional levels have been undertaken, including in South-East Europe through the South East Europe Firearms Expert Network established by UNDP. Other examples of increased cooperation between United Nations entities and national officials include the joint border patrolling initiative of the Bureau of Immigration and Naturalization of Liberia, in which United Nations police components participate, and the national technical working groups established in the Central African Republic — co-chaired by the United Nations Mine Action Service — and in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). For all operational information exchange on small arms, the Illicit Arms Records and Tracing Management System firearms database of the International Criminal Police Organization (INTERPOL) remains a key tool.

**Recommendation 13**

**Member States should continue to strengthen their cooperation among each other and with relevant international, regional and subregional organizations with regard to the sharing of operational information for the tracing of illicit weapons and to make full use of the Illicit Arms Records and Tracing Management System global firearms database of the International Criminal Police Organization (INTERPOL).**

## 5. Disarmament, demobilization and reintegration, security sector reform and strengthening of rule of law institutions

85. Increasingly, conflict and post-conflict environments are characterized by a proliferation of irregular armed groups, including militias, criminal networks, self-defence groups, private security companies and other non-State groupings. In order to address these possible sources of insecurity, mandates of United Nations peacekeeping and special political missions often include the design and implementation of programmes for disarmament, demobilization and reintegration and for the reform of the host country's security sector. Such efforts are supported by a growing number of disarmament, demobilization and reintegration and security sector reform capacities in these missions and by system-wide efforts by the Inter-Agency Working Group on Disarmament, Demobilization and Reintegration and the Inter-Agency Security Sector Reform Task Force.

86. In addition, the United Nations, often supported by the global focal point for the police, justice and corrections, provides support to strengthen the effectiveness and accountability of institutions in such areas to uphold the rule of law.

87. However, if illicit weapons continue to be easily accessible to armed groups and civilians in post-conflict situations at the same time that efforts are made to dismantle armed groups and movements, the risk of relapse into conflict will remain high and the prospects of building sustainable peace will diminish. It is therefore

vital that traditional arms control measures be linked and integrated with disarmament, demobilization and reintegration and security sector reform efforts and informed by national strategies. It is also important to complement short-term measures to take weapons out of circulation with a longer-term vision on how to improve safety at community levels through strengthening security institutions and addressing the underlying causes of conflict.

88. Throughout these processes, the rights of children must be protected and their specific requirements taken into account. This holds true, in particular, for children who have been recruited by armed forces and groups. Security Council resolutions on children and armed conflict often are not accompanied by sufficient funding to monitor and implement the mandated action plans to end and prevent grave violations.

89. I welcome the recent recognition given to the role of United Nations police components in combating illicit arms and ammunition. In its resolution 2185 (2014) adopted on 20 November 2014, the Security Council reiterated that United Nations peacekeeping operations and special political missions, including police components, may — if mandated by the Council — assist in capacity-building for host Governments to address the illicit trafficking of small arms and light weapons. This police assistance could be aimed at areas such as weapons collection, disarmament, demobilization and reintegration programmes; physical security and stockpile management practices; record-keeping and tracing; development of national export and import control systems; enhancement of border security; and strengthening judicial institutions, policing and other law enforcement capacities (see Council resolution 2185 (2014)). United Nations police components can be further strengthened to take on these tasks.

90. The delivery of security services at the community level is a crucial component in the mitigation of armed violence and crime. Such efforts should be planned in an integrated manner with other mission and United Nations country team components, including police, justice, corrections, security sector reform, gender and human rights. Only a comprehensive approach can sustainably improve the delivery of security services at community levels and make communities safer.

**Recommendation 14**

**Mission mandates, in particular on disarmament, demobilization and reintegration and security sector reform, should be designed on the basis of a comprehensive analysis of short-, medium- and long-term security needs. More integrated approaches need to be adopted, which would include the participation of relevant United Nations agencies providing support in these areas at the planning, mission and transition phases. In all instances, funding should accompany mandated activities.**

United Nations S/2015/290*

Security Council

Distr.: General
28 April 2015

Original: English

# Angola, Chad, Chile, France, Jordan, Lithuania, Nigeria, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

*The Security Council*,

*Recalling* its previous resolutions and statements on the Central African Republic (CAR), in particular resolutions 2121 (2013), 2127 (2013), 2134 (2014), 2149 (2014), 2181 (2014), 2196 (2015) and 2212 (2015),

*Reaffirming* its strong commitment to the sovereignty, independence, unity and territorial integrity of the CAR, and recalling the importance of the principles of non-interference, good-neighbourliness and regional cooperation,

*Reaffirming* the basic principles of peacekeeping, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate, and *recognizing* that the mandate of each peacekeeping mission is specific to the need and situation of the country concerned,

*Recalling* that the Central African Republic authorities have the primary responsibility to protect all populations in the CAR in particular from genocide, war crimes, ethnic cleansing and crimes against humanity,

*Emphasizing* that any sustainable solution to the crisis in the CAR should be CAR-owned, including the political process, and should prioritize reconciliation of the Central African people,

*Further emphasizing* that the continued role of the region, including the Chair of the Economic Community of Central African States (ECCAS) and its Mediator, as well as the African Union and the United Nations as members of the Mediation, remains critical for the promotion of lasting peace and stability in the CAR, and reiterates its appreciation for their ongoing efforts in this regard,

*Commending* the African-led International Support Mission to the Central African Republic (MISCA), Sangaris and EUFOR RCA for the work done in laying the foundation for increased security ahead of and in support of the United Nations Integrated Multi-dimensional Mission in the Central African Republic (MINUSCA)'s deployment, commending also the transition from MISCA to MINUSCA on 15 September 2014,

* Reissued for technical reasons on 30 April 2015.

15-06642* (E) 300415

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*Noting with concern*, however, that while improving, the security situation in the CAR remains fragile,

*Condemning* the multiple violations of international humanitarian law and the widespread human rights violations and abuses, including those involving extrajudicial killings, enforced disappearances, arbitrary arrests and detention, torture, sexual violence against women and children, rape, recruitment and use of children and attacks against civilians, looting and destruction of property and attacks against places of worship, denial of humanitarian access, deliberate attacks against national and international personnel of humanitarian organisations, United Nations personnel and its associated personnel, and humanitarian assets, including supplies, facilities and transports committed by both former Seleka elements and militia groups, in particular the "anti-Balaka",

*Welcoming* the submission of the report (S/2014/928) of the International Commission of Inquiry established by resolution 2127 (2013), noting with concern its finding that the main parties to the conflict, including ex-Seleka the anti-Balaka, and elements from the CAR Armed Forces (FACA) who collaborated with armed groups committed violations of international humanitarian law and human rights violations and abuses since 1st January 2013, that may amount to war crimes and crimes against humanity, including ethnic cleansing by elements of the anti-balaka militia,

*Condemning* in the strongest terms all attacks and provocations against MINUSCA contingents and other international forces by armed groups, underlining that attacks targeting peacekeepers may constitute war crimes, reminding all parties of their obligations under international humanitarian law and urging the CAR Transitional Authorities to take all possible measures to ensure the arrest and prosecution of perpetrators,

*Stressing* the urgent and imperative need to end impunity in the CAR and to bring to justice perpetrators of violations of international humanitarian law and of abuses and violations of human rights, *underlining* in this regard the need to bolster national accountability mechanisms, and *underlining* its support for the work of the Independent Expert on human rights in the CAR,

*Welcoming* in this regard the Transitional Authorities' efforts, in particular the adoption of the relevant legislation, to establish a Special Criminal Court within the national judicial system, with jurisdiction over serious violations of human rights and of international humanitarian law, consistent with the CAR's international humanitarian law and international human rights law obligations,

*Urging* the national authorities to take all appropriate steps to implement the law establishing a national Special Criminal Court, and reiterating the primary responsibility of the national authorities to ensure a conducive environment for the effective and independent investigation, prosecution and adjudication of all cases by the Special Criminal Court and its effective contribution to peace, justice and reconciliation in the country,

*Emphasizing* the fact that the current security situation in the CAR provides a conducive environment for transnational criminal activity, such as that involving arms trafficking and the use of mercenaries as well as a potential breeding ground for radical networks,

*Acknowledging* in this respect the important contribution the Council-mandated arms embargo can make to countering the illicit transfer of arms and related materiel in the CAR and the region, and in supporting post-conflict peacebuilding, disarmament, demobilization and reintegration and security sector reform, and *recalling* its resolution 2196 (2015) and expressing grave concern at the threat to peace and security in the CAR arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons, and the use of such weapons against civilians affected by armed conflict,

*Reiterating* that illicit trade, exploitation and smuggling of natural resources including gold, diamonds and wildlife poaching and trafficking continues to threaten the peace and stability of the CAR,

*Emphasizing* that the targeted sanctions renewed by resolution 2196 (2015) aim at, inter alia, individuals and entities designated by the Committee as engaging in or providing support for acts that undermine the peace, stability or security of the CAR, that impede the political transition process or that fuel violence and at individuals and entities designated by the Committee as involved in planning, directing, or committing acts that violate international human rights law or international humanitarian law or that constitute human rights abuses or violations,

. . .

*Expressing concern* about reported travel by individuals designated pursuant to UNSC resolution 2127 (2013) and *noting* the critical importance of effective implementation of the sanctions regime, including the key role that neighbouring States, as well as regional and subregional organizations, can play in this regard and encouraging efforts to further enhance cooperation,

*Reiterating* its serious concern at the dire humanitarian situation in the CAR, and emphasizing in particular the humanitarian needs of the more than 435,000 internally displaced persons (IDPs), of the thousands of civilians trapped in enclaves, and of the more than 450,000 refugees in neighbouring countries, a large number of whom are Muslim, and further *expressing* concern at the consequences of the flow of refugees on the situation in Chad, Cameroon and the Democratic Republic of the Congo, as well as other countries of the region,

*Recalling* the responsibility of the Transitional Authorities to protect and promote the right to freedom of movement of all people in the CAR, including IDPs, without distinction, their freedom to choose where to reside, and to comply with their right to return to their own country or to leave in order to seek asylum in other States,

*Urging* all parties to take the necessary steps to ensure the safety and security of humanitarian personnel, of United Nations and associated personnel and of United Nations installation, equipment and goods,

*Reiterating also its appreciation for* the efforts of the International Contact Group on the CAR, co-chaired by the AU and the Republic of Congo, taking note of the decision of the International Mediator in the CAR crisis, in accordance with the transitional national charter, to extend the transition for six months, until 15 August 2015, *welcoming* the communiqué issued at its 7th meeting held in Brazzaville, on 16 March 2015, and *encouraging* all stakeholders to pursue their efforts,

*Welcoming* the commitment of the CAR Transitional Authorities to complete the transition process, including on reconciliation aspects, and calling upon the

Transitional Authorities and the National Elections Authority, in accordance with the transitional national charter, to swiftly take the necessary steps to accelerate the preparation of the electoral process with a view to holding as a matter of urgency and as soon as possible the free, fair, and credible elections currently scheduled to take place by August 2015,

*Welcoming* the holding of, and local participation in, grassroots consultations throughout the country between 21 January and 8 March 2015, which enabled thousands of people in the CAR to express their views on the future of their country,

*Recognizing* the work of the Bangui Forum Preparatory Committee, and welcoming the setting of the date for the Bangui Forum, which is a critical step in the political transition process and offers an opportunity to address issues that are of critical importance to the future of the country, including peace and security, justice and reconciliation, governance and economic and social development,

*Welcoming* the joint action of some domestic religious leaders at the national level in trying to pacify relations and end violence between religious communities and *noting* the need to amplify their voices at the local level,

*Recalling* the need for an inclusive and effective disarmament, demobilization and reintegration process (DDR) as well as repatriation (DDRR) in the case of foreign fighters, including children formerly associated with armed forces and groups, while respecting the need to fight against impunity,

*Underlining* the need to support national, and to coordinate international, efforts towards rebuilding the security sector in the CAR and *stressing* the important role of the internal security forces (police and gendarmerie) in the restoration of security in the CAR,

*Welcoming* in this regard the launching by the European Union (EU) of a military advice mission based in Bangui (EUMAM-RCA), which will support, at their request, the CAR Transitional Authorities, and will work closely with MINUSCA, by providing expert advice on reforming the FACA into a multi-ethnic, professional, and republican armed forces,

*Recalling* its resolutions 1265 (1999), 1296 (2000), 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, its resolutions 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012) and 2143 (2014) on Children and Armed Conflict and its resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013) on Women, Peace and Security and calling upon all parties in the CAR to engage with the Special Representative on Children and Armed Conflict and the Special Representative on Sexual Violence in Conflict,

*Expressing its concern* that children have continued to be victims of abuses committed by armed elements of the ex-Séléka and anti-Balaka as well as the Lord's resistance army, and that women continue to be violently targeted and victims of sexual and gender based violence in the CAR,

*Expressing serious concern* about the dire situation of persons with disabilities in the CAR, including abandonment, violence and lack of access to basic services, and *emphasizing* the need to ensure that the particular needs of persons with disabilities are addressed in the humanitarian response,

*Commending* the ongoing role and contribution of the African Union (AU) to the stabilization of the CAR and welcoming the deployment of AU advisors to support the victims of sexual violence in the CAR,

*Welcoming* the strong engagement of the European Union (EU) for the CAR, and further *welcoming* the contribution of the United States of America and of other Member States to the stabilization of the CAR,

*Encouraging* the international community to swiftly follow through on pledges to continue providing support in response to the humanitarian situation in CAR, and to prepare for reconstruction with an approach linking relief, rehabilitation and development (LRRD),

*Calling on* international partners to assist the Transitional Authorities in building the institutional capacity of national police and customs authorities to effectively monitor the borders and points of entry, including to support the implementation of the measures renewed and modified by paragraph 1 of resolution 2196 (2015) and the disarmament and repatriation of foreign armed elements,

*Welcoming* the World Bank's plan for 2014 presented at the Central African Republic Peacebuilding Commission Country-Specific Configuration meeting on 19 February 2014 and strongly *encouraging* international financial institutions to continue to engage with the Transitional Authorities, and to increase their commitments to support the Transitional Authorities,

*Calling on* international partners to urgently provide financial contributions to support national dialogue and reconciliation, the preparation of elections, the extension of State authority, accountability, DDR/R and security sector reform (SSR) processes, as well as the restoration of the judicial and penal chains in order to fight against impunity,

*Underlining* the role of the Peace Building Commission CAR configuration in supporting the efforts of the Transitional Authorities towards national dialogue and reconciliation process, elections, accountability, as well as in addressing challenges facing the country, through mobilizing and sustaining the attention and commitment of partners' efforts as well as the Peacebuilding Fund,

*Commending* the Transitional Authorities for the work done to balance the national budget and calls on them to continue their effort to strengthen public financial management, transparency and accountability, which will help create a conducive environment for the international community to increase budget and development support in 2015,

*Stressing* the need to implement MINUSCA's mandate, based on the prioritization of tasks, and, when relevant, in a phased manner,

*Welcoming* the Secretary-General's report of 1 April 2015 (S/2015/227),

*Taking note* of the letter to the Security Council dated 8 April 2014, by which the President of the CAR conveyed views regarding MINUSCA's mandate in terms of protection of civilians and urgent temporary Measures,

*Determining* that the situation in the CAR continues to constitute a threat to international peace and security in the region,

*Acting* under Chapter VII of the Charter of the United Nations,

*Political process*

1. *Expresses* its support to the Transitional Authorities under the leadership of Catherine Samba-Panza as Transitional Head of State, welcomes their commitment to complete the transition process and reiterates its call upon them to further accelerate its completion;

2. *Reiterates* its support for the Libreville Agreements of 11 January 2013, the N'Djamena Declaration of 18 April 2013, the Constitutional Charter for the Transition of 18 July 2013 as well as the Cessation of Hostilities agreement signed in Brazzaville, Republic of the Congo, on 23 July 2014;

3. *Welcomes* the important role of the region through the active leadership of the Economic Community of Central African States (ECCAS), in particular the mediation by the Republic of the Congo, and *encourages* ECCAS, through its Chairperson and its Mediator to continue to support the political transition process in the CAR outlined in the above-mentioned Declaration and agreements;

4. *Commends* the initial measures taken by the AU and ECCAS to restore peace and stability in the CAR;

5. *Demands* that all militias and non-state armed groups lay down their arms, cease all forms of violence and destabilizing activities immediately and release children from their ranks;

6. *Commends* the Transitional Authorities and CAR stakeholders for the work done in revitalizing the political and reconciliation process in order to lay the ground for a sustainable end to the conflict, *welcomes* recent efforts by the Transitional Authorities to gather views of local citizens in advance of the Bangui Forum on National Reconciliation by holding inclusive grassroots level consultations, underlines the importance of the Forum to promote peace and stability, in particular through the signing of an agreement on the disarmament of armed groups, and further recalls the crucial role of civil society in the peace and reconciliation process;

7. *Encourages* the submission by Member States of listing requests to the Committee established by paragraph 57 of resolution 2127 (2013), including detailed evidentiary support for each request, of individuals and entities engaging in or providing support for acts that undermine the peace, stability or security of the CAR, that impede the transition process or that fuel violence;

8. *Urges* the Transitional Authorities, as well as the National Elections Authority (NEA), in accordance with the transitional national charter, to accelerate the preparations in order to hold as a matter of urgency and as soon as possible the free, fair, transparent and inclusive presidential and legislative elections currently scheduled to take place by August 2015, ensuring the full, effective and equal participation of women, IDPs and CAR refugees, the return of whom should be an important objective;

9. *Calls on* all actors in the CAR to respect the Transitional Constitutional Charter, particularly with respect to the preparation and holding of elections, including regarding candidate ineligibility;

10. *Urges* the CAR transitional authorities, with the support of MINUSCA and EUMAM-RCA, to adopt a strategy for a comprehensive reform of the CAR

Armed Forces (FACA) and internal security forces (police and gendarmerie) in order to put in place professional, ethnically representative and regionally balanced national defence and internal security forces, including through the adoption of appropriate human rights vetting procedures of all defence and security personnel as well as measures to absorb elements of armed groups meeting, rigorous selection and vetting criteria, and requests the Secretary-General to report to the Council on progress taken in this regard;

11. *Calls on* the Central African authorities to take concrete steps, without delay and as a matter of priority, to strengthen justice institutions and to fight impunity in order to contribute to stabilization and reconciliation, and in this regard to swiftly implement the law establishing the Special Criminal Court;

12. *Also calls on* the Transitional Authorities to continue their efforts to redeploy State administration in the provinces, including through the effective restoration of the administration of the judiciary and the criminal justice system throughout the country, with the support of the international community;

13. *Calls on* Member States, international and regional organizations to urgently provide support to the Transitional Authorities for the conduct of the transition and subsequent reforms, including contributions for the payment of salaries and other needs for the restoration of the State authority over the whole territory, as well as for the holding of elections through the UN trust fund, for the upcoming DDR/R and SSR programmes and for the restoration of the judiciary and the criminal justice system including the Special Criminal Court;

14. *Encourages* the Transitional Authorities, with the support of the international community, in particular with IFIs leading international efforts, to keep consolidating, based on critical peace and State building goals, public financial management and accountability, including revenue collection, expenditure controls, public procurement and concession practices building on relevant international experiences and in a manner that fosters national ownership and respects the sovereignty of the CAR;

*Human rights*

15. *Reiterates* the urgent and imperative need to hold accountable all perpetrators of violations of international humanitarian law and human rights violations and abuses, irrespective of their status or political affiliation, and reiterates that some of those acts may amount to crimes under the Rome Statute of the International Criminal Court (ICC), to which the CAR is a State party;

16. *Notes* the decision made by the Prosecutor of the ICC on 24 September 2014 to open, following the request of the national authorities, an investigation into alleged crimes committed since 2012, and *welcomes* the ongoing cooperation of the Transitional Authorities in this regard;

17. *Calls upon* all parties to armed conflict in the CAR, including former Séléka elements and anti-Balaka elements, to issue clear orders prohibiting all violations and abuses committed against children, in violation of applicable international law, including those involving their recruitment and use, rape and sexual violence, killing and maiming, abductions and attacks on schools and hospitals and further *calls upon* the Transitional Authorities to investigate swiftly alleged violations and abuses in order to hold perpetrators accountable and to ensure

that those responsible for such violations and abuses are excluded from the security sector;

18. *Reiterates* its demands that all parties protect and consider as victims those children who have been released or otherwise separated from armed forces and armed groups, and emphasizes the need to pay particular attention to the protection, release and reintegration of all children associated with armed forces and armed groups;

19. *Calls upon* all parties to armed conflict in the CAR, including former Séléka and anti-Balaka elements, to issue clear orders against sexual and gender based violence, and further calls upon the Transitional Authorities to investigate swiftly alleged abuses in order to hold perpetrators accountable, in line with its resolutions 1960 (2010) and 2106 (2013), to ensure that those responsible for such crimes are excluded from the security sector and prosecuted, and to facilitate immediate access for victims of sexual violence to available services;

*Peacekeeping Operation*

20. *Commends* the transition of authority from MISCA to MINUSCA on 15 September 2014 and *welcomes* the re-hatting of former MISCA troops and police under MINUSCA;

21. *Commends* the work of the Special Representative of the Secretary-General (SRSG) Babacar Gaye and *takes note* of the increased deployment of MINUSCA's military, police and civilian components; the Mission's initial work in implementing its mandate; and the establishment of the Bangui Task Force to ensure the stabilization of the capital;

22. *Decides* to extend the mandate of MINUSCA until 30 April 2016;

23. *Decides* that MINUSCA has an authorized troop ceiling of 10,750 military personnel, including 480 Military Observers and Military Staff Officers and 2,080 police personnel, including 400 Individual Police Officers and 40 corrections officers, recalls its intention to keep this number under continuous review in particular for the additional troops authorized by resolution 2212 (2015), *calls upon* Member States to provide troops and police with adequate capabilities and equipment in order to enhance the capacity of MINUSCA to operate and discharge its responsibilities effectively and *requests* the Secretary-General to accelerate the recruitment of qualified staff, who have the competencies, education, work experience and language skills appropriate to the tasks defined under applicable competency areas in paragraphs 32 to 34 below, bearing in mind the need to convey information and provide technical assistance in the most accessible manner to the desired audience;

24. *Requests* the Secretary-General to take all possible steps, including through the full use of existing authorities and at his discretion, to accelerate the deployments of MINUSCA's civilian, police and military capabilities in the CAR, in order to best respond to the Council's expectations and the needs of the CAR population and *requests* the Secretary-General to take the necessary steps to have MINUSCA reach its full operational capacity and ability to discharge its mandate over the entire territory of the CAR as soon as technically and logistically possible, with no further delay, including to regions in eastern CAR;

25. *Urges*, to this end, the former MISCA troop and police contributing countries that have been re-hatted under MINUSCA to expedite the procurement and deployment of remaining additional contingent-owned equipment, in order to comply with United Nations standards for troops and police;

26. *Further urges* the Secretariat to continue to explore, on the basis of need, the use of specialized police teams together with specialized required equipment, for police and gendarmerie capacity building and development and operational support;

27. *Requests* that the Secretary-General and his Special Representative take the necessary steps to reinforce the capacity of the police component of MINUSCA and in particular the Bangui task force, within the authorized troop ceiling, including through the strengthening of the chain of command, the acceleration of the deployment across the whole territory and the recruitment and deployment of personnel trained for stabilization tasks in challenging urban environments;

28. *Stresses* the importance of expediting the deployment of the civilian component of MINUSCA in order to support the actions of the police and military components based on the needs of the mission;

29. *Urges* MINUSCA and all relevant United Nations bodies, to ensure unhindered access for the Panel of Experts, in particular to persons, documents and sites within their control in order for the Panel to execute its mandate;

30. *Decides* that MINUSCA's mandate should be implemented based on a prioritization of tasks established in paragraphs 32 to 34 of this resolution, and, when relevant, in a phased manner, and further requests the Secretary-General to reflect this prioritization in the deployment and in the allocation of resources to the mission;

31. *Authorizes* MINUSCA to take all necessary means to carry out its mandate within its capabilities and areas of deployment;

32. *Decides* that the mandate of MINUSCA shall include the following immediate priority tasks:

*(a) Protection of civilians*

(i) To protect, without prejudice to the primary responsibility of the CAR authorities, the civilian population from threat of physical violence, within its capabilities and areas of deployment, including through active patrolling, and to mitigate risks to civilians posed by its military operations;

(ii) To provide specific protection for women and children affected by armed conflict, including through the deployment of Child Protection Advisers, Women Protection Advisers and Gender Advisers;

(iii) To identify and record threats and attacks against the civilian population, including through regular interaction with the civilian population and working closely with humanitarian and human rights organizations;

(iv) To fully implement and deliver, in close consultation with humanitarian and human rights organizations and other relevant partners, the mission-wide protection strategy;

*(b) Support for the implementation of the transition process, the extension of State authority and the preservation of territorial integrity*

(i) To take a leading role in international efforts to assist the Transitional Authorities working with ECCAS, the AU, the United Nations regional office for Central Africa (UNOCA), relevant stakeholders and the international community to devise, facilitate, coordinate and provide technical assistance to the successful and timely completion of the political transition;

(ii) To provide good offices and political support for the efforts to address root causes of the conflict and establish lasting peace and security in the CAR;

(iii) To provide appropriate support, in coordination with the Transitional Authorities, and based on the risks on the ground, for the provision of security for key national stakeholders, including members of the Transitional Government;

(iv) To assist the Transitional Authorities and, subsequently, the elected authorities, in mediation and reconciliation processes at both the national and local levels, working with relevant regional and local bodies and religious leaders, including through inclusive national dialogue, transitional justice and conflict-resolution mechanisms, while ensuring the full and effective participation of women;

(v) To devise, coordinate and provide technical, logistical and security assistance to the electoral process and make all necessary preparations, in support of the Transitional Authorities and working on an urgent basis with the NEA, for the holding, in accordance with the transitional national charter, as a matter of urgency and as soon as possible, of the free, fair, transparent and inclusive presidential and legislative elections currently scheduled to take place by August 2015, in order to complete the political transition in a timely manner, including the full and effective participation of women at all levels and at an early stage, in all phases of the electoral process, and the participation of CAR IDPs and refugees;

(vi) To devise, coordinate and provide technical, logistical and security assistance to the organization and the holding of the constitutional referendum, as appropriate;

(vii) To promote and support the rapid extension of State authority over the entire territory of the CAR, including by supporting the redeployment of the administration;

(viii) To actively seize, confiscate and destroy, as appropriate, the weapons and ammunitions of armed elements, including all militias and non-state armed groups, who refuse or fail to lay down their arms;

*(c) Facilitate the immediate, full, safe and unhindered delivery of humanitarian assistance*

To enhance civil-military coordination within MINUSCA and improve coordination with humanitarian actors, to facilitate the creation of a secure environment for the immediate, full, safe and unhindered, civilian-led delivery of humanitarian assistance, in accordance with United Nations guiding humanitarian principles and relevant provisions of international law, and for

the voluntary safe, dignified and sustainable return or local integration or resettlement of internally displaced persons or refugees in close coordination with humanitarian actors;

*(d) Protection of the United Nations*

To protect the United Nations personnel, installations, equipment and goods and ensure the security and freedom of movement of United Nations and associated personnel;

*(e) Promotion and protection of human rights*

(i) To monitor, help investigate and report publicly and to the Security Council on violations of international humanitarian law and on violations and abuses of human rights committed throughout the CAR, in particular by different armed groups, including the former Seleka and the anti-Balaka, as well as in connection with the Bangui Forum and the electoral process, and to contribute to efforts to identify and prosecute perpetrators, and to prevent such violations and abuses, including through the deployment of human rights observers;

(ii) To monitor, help investigate and report on violations and abuses committed against children, women as well as persons with disabilities, including rape and other forms of sexual violence in armed conflict, and to contribute to efforts to identify and prosecute perpetrators, and to prevent such violations and abuses;

(iii) To support the implementation of relevant recommendations of the International Commission of Inquiry;

(iv) To assist the CAR authorities in the effort to protect and promote human rights, including through the establishment of a national human rights commission and to strengthen the capacity of civil society organizations;

*(f) Urgent temporary measures (UTMs)*

(i) To continue to adopt, within the limits of its capacities and areas of deployment, at the formal request of the Transitional Authorities and in areas where national security forces or judicial authorities are not present or operational, urgent temporary measures on an exceptional basis and without creating a precedent and without prejudice to the agreed principles of peacekeeping operations, which are limited in scope, time bound and consistent with the objectives set out in paragraphs 32 (a) to 32 (e) above and 33 (a) below, to arrest and detain in order to maintain basic law and order and fight impunity;

(ii) Requests the Secretary-General to continue to report to the Security Council any measures that may be adopted on this basis;

*(g) Special Criminal Court*

(i) To assist the Transitional Authorities and subsequent elected authorities and facilitate other bilateral and multilateral support to the Transitional Authorities and subsequent elected authorities in the establishment of the

national Special Criminal Court (SCC) consistent with CAR laws and jurisdiction and in line with the CAR's international humanitarian law and international human rights law obligations with the aim of supporting the extension of State authority;

(ii) To provide technical assistance and capacity building for the CAR authorities, in order to facilitate the functioning of the SCC, in particular in the areas of investigations, arrests, detention, criminal and forensic analysis, evidence collection and storage, recruitment and selection of personnel, and the establishment of a legal aid system, as appropriate, as well as, within existing resources, to provide security for magistrates, and take measures to enhance the security of victims and witnesses as conditions allow, in line with the CAR's international human rights obligations, including with respect to fair trials, and due process;

*(h) Disarmament, Demobilization, Reintegration (DDR) and Repatriation (DDRR)*

(i) To support the Transitional Authorities and subsequent elected authorities in developing and implementing a revised strategy for the disarmament, demobilization and reintegration (DDR) and, in case of foreign elements, Repatriation (DDRR), of former combatants and armed elements to reflect new realities on the ground, while paying specific attention to the needs of children associated with armed forces and groups;

(ii) To support the Transitional Authorities and subsequent elected authorities in implementing the revised strategy for reintegration of former combatants in line with the wider SSR;

(iii) To support the Transitional Authorities and subsequent elected authorities in developing and implementing community violence reduction programmes;

(iv) To regroup and canton combatants in accordance with Article 4 of the Brazzaville Agreement and in cooperation with the Transitional Authorities and destroy, as appropriate, the weapons and ammunitions of disarmed combatants in keeping with its effort to seize and collect arms and related materiel the supply, sale or transfer of which violate the measures imposed by paragraph 1 of resolution 2196 (2015);

33. *Further authorises* MINUSCA to use its capacities to assist the CAR authorities for, and, where relevant, implement, the following essential tasks:

*(a) Support for national and international justice and the rule of law*

(i) To help build the capacities, including through technical assistance, of the national judicial system and of the national human rights institutions and assist with national reconciliation efforts, coordinating with the Independent Expert on human rights as appropriate;

(ii) To provide support and to coordinate international assistance to the policing, justice and correctional institutions to reinstate the criminal justice system, within the framework of the United Nations global focal point on rule of law, including through assistance in the maintenance of public safety and basic law and order, in a manner that emphasizes civilian oversight, impartiality and the protection of human rights;

(iii) to support the restoration and maintenance of public safety and the rule of law including through the presence and assistance of United Nations police authorized in paragraph 23 above, including through arresting and handing over to the CAR authorities those responsible for serious human rights violations and abuses and serious violations of international humanitarian law in the country so that they can be brought to justice, and through cooperation with States of the region as well as the ICC in cases of crimes falling within its jurisdiction;

*(b) Security Sector Reform*

(i) To support the Transitional Authorities and subsequent elected authorities in devising and implementing the security sector reform and vetting processes, including through the provision of strategic policy advice, in close coordination with the EUMAM-RCA;

(ii) To closely coordinate the provision of technical assistance and training between the international partners in the CAR in order to ensure a clear distribution of tasks in the field of SSR, for the benefit of both the FACA and the CAR internal security forces (police and gendarmerie);

*(c) Illicit exploitation and trafficking of natural resources*

To support the CAR authorities to develop a nationally-owned strategy to tackle the illicit exploitation and trafficking networks of natural resources which continue to fund and supply armed groups in the CAR taking into account, where appropriate, the reports of the Panel of Experts established pursuant to resolution 2127 (2013) and the decisions of the Kimberley process (KP), with the aim of extending the State authority over the entire territory and its resources;

34. *Further authorizes* MINUSCA to carry out within its existing resources the following additional tasks:

(a) To coordinate international assistance as appropriate;

(b) To assist the Committee established pursuant to paragraph 57 of resolution 2127 (2013) and the Panel of Experts established by the same resolution, including by passing information relevant to the implementation of the mandate of the Committee and Panel of Experts;

(c) To monitor the implementation of the measures renewed and modified by paragraph 1 of resolution 2196 (2015), in cooperation with the Panel of Experts established pursuant to resolution 2127 (2013), including by inspecting, as it deems necessary and when appropriate without notice, all arms and related materiel regardless of location, and advise the Transitional Authorities on efforts to keep armed groups from exploiting natural resources;

(d) To seize and collect arms and any related materiel the transfer of which to the CAR violates the measures imposed by paragraph 54 of resolution 2127 (2013) and to record and dispose of such arms and related materiel as appropriate;

(e) To provide transport for relevant State authorities in carrying out inspections and monitoring visits in key mining areas and sites as appropriate and

on a case by case basis and when the situation allows, as a means to promote and support the rapid extension of the State authority over the entire territory;

35. *Requests* the Secretary-General to deploy and allocate personnel and expertise within MINUSCA to reflect the priorities identified by paragraph 32 to paragraph 34 of this resolution, and to continuously adjust this deployment according to the progresses made in the implementation of this mandate;

36. *Requests* MINUSCA to enhance its operational coordination with the African Union Regional Task Force on the Lord's Resistance Army (LRA) and *requests* MINUSCA to share relevant information with the Regional Task Force and with non-governmental organizations involved in tackling the threat of the LRA;

37. *Calls upon* the Transitional Authorities and international partners and relevant United Nations entities, in coordination with MINUSCA and UNMAS, to address the illicit transfer, destabilizing accumulation, and misuse of small arms and light weapons in the CAR, and to ensure the safe and effective management, storage and security of stockpiles of small arms and light weapons, and the collection and/or destruction of surplus, seized, unmarked, or illicitly held weapons and ammunition, and further stresses the importance of incorporating such elements into SSR and DDR/R programmes;

38. *Urges* the CAR, its neighbouring States and other member States of the International Conference on the Great Lakes Region (ICGLR) to cooperate at the regional level to investigate and combat regional criminal networks and armed groups involved in the illegal exploitation and smuggling of natural resources including gold, diamonds and wildlife poaching and trafficking;

39. *Requests* MINUSCA to take fully into account child protection as a cross-cutting issue throughout its mandate and to assist the Transitional Authorities in ensuring that the protection of children's rights is taken into account, inter alia, in DDR and DDR/R processes and in SSR in order to end and prevent violations and abuses against children;

40. *Requests* MINUSCA to take fully into account gender considerations as a cross-cutting issue throughout its mandate and to assist the Government of the CAR in ensuring the full and effective participation, involvement and representation of women in all spheres and at all levels, including in stabilization activities, security sector reform and DDR and DDR/R processes, as well as in the national political dialogue and electoral processes, through, inter alia, the provision of gender advisers, and further requests enhanced reporting by MINUSCA to the Council on this issue;

41. *Requests* MINUSCA, within its existing resources and mandate, to assist the political efforts of the AU, ECCAS and UNOCA to support the transition process;

42. *Reiterates* that the measures imposed by paragraph 1 of resolution 2196 (2015) do not apply to MINUSCA, the AU Regional Task Force (AU-RTF), the European Union Missions and French forces operating in the CAR to provide organizational advice and non-operational training to the CAR Government Forces and as relevant to the implementation of their mandates and *requests* these forces to report on measures taken in this regard as part of their regular reports to the Council;

43. *Requests* the Secretary-General to take the necessary measures to ensure full compliance of MINUSCA with the United Nations zero tolerance policy on sexual exploitation and abuses and to keep the Council informed if cases of misconduct occur, and *notes* the relevance of the guidance on contacts with persons who are the subject of arrest warrants or summonses issued by the ICC;

44. *Requests* MINUSCA to ensure that any support provided to non-United Nations security forces is provided in strict compliance with the Human Rights Due Diligence Policy on United Nations support to non-United Nations security forces (HRDDP), and *requests* the Secretary-General to include information on any such support in his reports to the Council;

45. *Emphasizes* the need for MINUSCA, EUMAM-RCA and the French forces operating in the CAR, while carrying out their mandate, to act in full respect of the sovereignty, territorial integrity and unity of CAR and in full compliance with applicable international humanitarian law, human rights law and refugee law and recalls the importance of training in this regard;

*MINUSCA Freedom of movement*

46. *Urges* all parties in the CAR to cooperate fully with the deployment and activities of MINUSCA, in particular by ensuring its safety, security and freedom of movement with unhindered and immediate access throughout the territory of the CAR to enable MINUSCA to carry out fully its mandate in a complex environment;

47. *Calls upon* Member States, especially those in the region, to ensure the free, unhindered and expeditious movement to and from the CAR of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles and spare parts, which are for the exclusive and official use of MINUSCA;

*Humanitarian access*

48. *Demands* that all parties allow and facilitate the full, safe, immediate and unhindered access for the timely delivery of humanitarian assistance to populations in need, in particular to internally displaced persons, throughout the territory of the CAR, in accordance with the United Nations guiding principles of humanitarian assistance and relevant provisions of international law;

*Humanitarian appeal*

49. *Welcomes* the humanitarian appeal, regrets its insufficient current funding, and calls on Member States and international and regional organizations to respond swiftly to this appeal through increased contributions and to ensure that all pledges are honoured in full;

*French Forces*

50. *Authorizes* French forces, within the limits of their capacities and areas of deployment, from the commencement of the activities of MINUSCA until the end of MINUSCA's mandate as authorized in this resolution, to use all necessary means to provide operational support to elements of MINUSCA from the date of adoption of this resolution, at the request of the Secretary-General and *requests* France to report to the Council on the implementation of this mandate and to coordinate its

reporting with that of the Secretary-General referred to in paragraph 52 of this resolution;

*Review and Reporting*

51. *Requests* the Secretary-General to review on a regular basis the conditions required for the transition, drawdown and withdrawal of the United Nations operation, in a manner which does not prejudice overall efforts to support long term objectives for peace and stability, and looks forward to receiving this information as part of this regular reporting to the Security Council;

52. *Requests* the Secretary-General to keep the Council regularly informed of the situation in the CAR and the implementation of the mandate of MINUSCA, to report to the Council, on 1 August 2015, and then every four months from that date and to include in his reports to the Council updates on and recommendations related to the dynamic implementation of MINUSCA's mandated tasks, including by providing appropriate financial information, information on the security situation, the priority political elements as defined above on political progress, progress on mechanisms and capacity to advance governance and fiscal management, relevant information on the progress, promotion and protection of human rights and international humanitarian law as well as a review of the troop and police levels, force and police generation and deployment of all MINUSCA's constituent elements;

53. *Decides* to remain actively seized of the matter.

United Nations S/2015/291

Security Council

Distr.: General
28 April 2015

Original: English

## Letter dated 26 April 2015 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

With reference to the tragic incidents that took place in the locality of Kass in the State of Southern Darfur, where seven innocent civilians lost their lives and many others were injured, I have the honour to transmit to you herewith the statement issued by the Ministry of Foreign Affairs (see annex), which confirms, among many other facts, that the African Union-United Nations Hybrid Operation in Darfur (UNAMID) has been deliberately involved in the disproportionate, indiscriminate and excessive use of force in an outrageous violation of the rules of engagement that are clearly stated in the status-of-forces agreement signed by the Government of the Sudan, the African Union and the United Nations.

Having brought those serious, unprecedented developments to your attention, we call upon the United Nations to oblige UNAMID to fully abide by the rules of engagement contained in the status-of-forces agreement, as we reserve our ultimate and legitimate sovereign right to take appropriate actions to protect our citizens.

I should be grateful if the present letter and its annex were circulated as a document of the Security Council.

(*Signed*) Hassan Hamid **Hassan**
Chargé d'affaires a.i.

15-06672 (E) 300415 300415

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## Annex to the letter dated 26 April 2015 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

[Original: Arabic]

## Statement by the Ministry of Foreign Affairs regarding the incidents that occurred in Kass, Southern Darfur state

26 April 2015

At 5.50 p.m. on Thursday, 23 April 2015, a patrol of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) forces based at Kass, Southern Darfur, set out in a single vehicle for a water point three kilometres away, in order to bring water back to the Operation's base. When the patrol arrived at the water point, five armed bandits stole the patrol's vehicle and fled towards the south. The UNAMID patrol pursued the bandits, but they succeeded in escaping.

The pursuit by the patrol coincided with the movement of an armed party of Zaghawa, which had set out from the city market to Bulbul Abu Gazu to recover some stolen cattle. The UNAMID troops pursuing the group that had stolen its vehicle fired at the Zaghawa party, killing five civilians, one of whom was a 65-year-old man.

At 7 p.m. on that same day, a large number of civilians gathered near UNAMID headquarters to protest the killing of those civilians by Operation troops. However, UNAMID troops once again fired on civilians, killing one person and injuring a number of others, some of whom are in critical condition, including a woman named Umm Masar Adam Umar Sulayman.

A joint force from the 61st Infantry Regiment and the Kass police set out in six vehicles and recovered the stolen UNAMID vehicle, which was found to not be in working condition, and returned it to the Operation.

At 8 a.m. of the following day, Friday, 24 April 2015, a UNAMID force travelled from Nyala to Kass, in order to reinforce the force at the latter location. The force did so despite an existing agreement between the Operation and the government of Southern Darfur that it would not move from Nyala, so as to avoid escalating the situation and provoking the population. When the force arrived at UNAMID headquarters in Kass, it came across a crowd of civilians. Also present were the administrator of Kass district, the commander of the 61st Infantry Regiment and members of the local security committee, who had been attempting to calm the situation. The UNAMID troops who had arrived from Nyala began firing indiscriminately, killing one person and injuring others.

On 23 April 2015, a criminal complaint (No. 252) was filed with the Public Prosecutor of Kass district. Orders were also given to perform autopsies on the dead and issue death certificates for seven persons.

The governor of Southern Darfur ordered the establishment of a state commission to investigate the incident and establish the facts related thereto. The head of that commission is Counsellor Babakr Jiddu Adam and its members are the Deputy Chief Prosecutor of Kass district, a representative of the police, an intelligence officer from the 61st Infantry Regiment and a representative of the

national security and intelligence agency. The Office of the President ordered the establishment of a federal commission headed by a Minister of State in the Ministry of Justice to investigate the incident that occurred in Kass and establish the facts related thereto.

The Ministry of Foreign Affairs affirms that, from the outset, UNAMID forces committed a number of errors and transgressions, including:

- Disproportionate and indiscriminate use of force
- Failure to observe the rules of engagement and procedures set out in the status-of-forces agreement signed by the Government of the Sudan, the United Nations and the African Union; the UNAMID troops deliberately fired on civilians in order to kill, not wound
- UNAMID forces provoked civilians by firing at them
- The Operation did not adhere to the agreement reached with Southern Darfur state not to move troops to Kass, so as to avoid any escalation. The Operation also provided illogical justifications as to why it had been unable to contact the commander of the UNAMID force that was travelling from Nyala to Kass
- The Operation did not adhere to the legal and criminal procedures that must be followed when there has been a killing

The Ministry of Foreign Affairs also affirms that the information contained in the statement issued by UNAMID regarding the incident is completely incorrect. Moreover, the statement did not refer to certain facts and events. This raises serious and legitimate concerns regarding the motives of UNAMID, particularly given that the incident coincided with the arrangements being made for the preparation and execution of an exit strategy for the Operation.

The Ministry of Foreign Affairs offers its condolences to the victims' families and expresses its profound concern regarding the incidents. It calls on the United Nations to take the actions required to compel its Operation to adhere to the rules of conduct and respect the laws and regulations governing its presence in the Sudan. Should the United Nations fail to do that, the Government of the Sudan will do what it deems appropriate in order to preserve the rights of its citizens and protect their lives.